Mr. SMYTHIES's

VINDICATION

FROM THE

Foul Calumnies of Dr. *Harison*,

And the Plain Perjuries of his WITNESSES at *Brentwood-Assizes*, *Aug.* 12. 1701. and at *Doctors Commons*, *Novemb.* 9. 1702.

By William Smythies *Jun. Rector of St.* Michael Mile-End, *in* Colchester, *and Chaplain to the Right Honourable* EDWARD *Earl of* Sandwich.

What shall be Done unto thee, O Thou False Tongue! The Poison of Asps is under his Lips.

LONDON,

Printed, and are to be Sold by *John Nutt* near *Stationers-hall*, and by the Booksellers of *London* and *Westminster*; and in most Great Towns in *Essex* and *Suffolk*.

1702

Law Vol 9.

The Principal Evidences againſt Mr. Smythies

Men.

John Pack, an Old, Poor, Purblind, Diſcarded Bum-Bailiff.

Abraham Fetherſtone, a Crooked, Lewd, Vicious 'Prentice Boy, 17 Years Old.

John Goodway, a Poor, Broken, Drunken Carpenter, Related to Dr. *Hariſon*.

James Woodward, an Indigent Butcher.

Women.

Eliz. Belgrave, Dr. *Hariſon*'s Cook-wench; a Common Swearer, a Common Curſer, *&c.*

Eliz. Brooks, (ſince *Perry*) a Whore and Thief, Servant to Dr. *Hariſon*'s Groom.

Suſannah Brewer, a Whore, and Bawd.

Eliz. Cock, a Stingy Presbyterian Railer againſt the *Church*, and *Churchmen*.

Jane Holborough, Mr. Wycherly's *Country-Wife*, and Dr. Hariſon's *Tenant*.

Mr. *Smythies's* LETTER TO A CLERGY-MAN, &c.

Dear Sir!

I Have often *ponder'd* in my Mind the *Advice* you ſome time ſince gave me, of making *publick* the hard Meaſure I have for *Two* Years paſt met with from ſome of my Neighbours. And really I had reſolv'd to reſt contented with the *Satisfaction* I have receiv'd at *Common-Law*, and the clearing my Innocency (as to the Matters charg'd againſt me) in the *Civil*. But I find that *One* of my *Accuſers*, who is as great an *Enemy* to *Me*, as he is a *Stranger* to *Senſe*, or *Good Manners*; who, though he *heard* my Tryal in *Doctor's-Commons*, and *ſaw*, that the *Biſhop* could fix nothing upon me; yet, has had the *Scotch* Grace to declare *publickly* to my Friends in this Town, That the *Biſhop* would *ſuſpend* me, if not *deprive* me, *That he muſt do it*! This *Blade* is ſuppos'd by his *poſitive* Behaviour in this Matter, to 've been with, and to have receiv'd *Information* from, his *Lordſhip* of his *Future* Reſolves: As if ſo *Great* a Man would ſtrain a point of *Law* and *Conſcience* too, to gratifie the *Malice* of a *David Kenneir*! But I was ever ſafe from any *partial* Judgment of ſo *good* a Judge. I have read my Lord Chief Juſtice *Hale's* Rule in his own Words, and by which he conſtantly govern'd himſelf, *viz.* " That I ſuffer not my ſelf to be *pre-*
" *poſſeſs'd* with any Judgment at all, till the whole Buſineſs, and both Par-
" ties be *heard*.
" That I never engage my ſelf in the *beginning* of any Cauſe, but re-
" ſerve my ſelf *unprejudic'd* till the whole be heard.

Μήτε δίκην δικάσης πρὶν Ἀμφοῖν μῦθον ἀκούσης.

Was the Poet's *old* Rule. This is not the firſt time he has made very *Bold* with my Lord of *London*. About the 26th of *January* 1701. when Dr. *Hariſon*, and I, were in Bonds of Award, for an Accommodation of the Matters, in Difference, between us, this *Fellow*, was choſe his Arbitrator, and made himſelf ſuch a *Party* for the *Doctor* but no great *Advocate* for the Church) as to tell my worthy Friend (whom I choſe) that (if I would agree with *Hariſon* upon eaſie Terms, *He* would take me out of the *Commons*. Hey day! What an unparallell'd

piece of *Impudence* was this! peculiar to himself alone! He thought, because by Perjury he *hook'd* me *in*, by his *Confidence* he could *crook* me *out*, but I despis'd the *Motion*, as every Body does the *Man*. For *Modesty*! commend me to a *Morocco* Doctor of Physic, a *Salamanca* Doctor of Divinity, and a *Scotch* Master of Arts. Of each of these I can give you a *Sample* not to be match'd in the great *College* between *Holbourn* and *Cheapside*.

In this *Letter*, I shall have some Occasions of recollecting the *Envious*, *Malicious* and *Spiteful* Usage of this *Man of Forehead*, not of *me* only, but some *others* of the *Clergy* in this place. But I shall leave him till I come to the principal *Worthies* concern'd, the *Pack's*, and the *Fetherstone's*, the *Brookes's* and the *Belgrave's*, who are *Companions* fit for him.

If *this* be not esteem'd a sufficient *Reason* of the publication of *this Case*, I have farther to offer; That I think my self oblig'd in *Honour*, and *Justice* to my *Reputation*, to defend my self in as *publick* a Manner as I can, from the *Rude* Assaults of my Enemies.

I have ever concluded, that next to our *Being* Good, it is our greatest Interest to *Appear* so: They who *are otherwise* are *lost* with GOD, and they who are *reputed* Wicked are *lost* with MEN. I bless God I have no great Trouble of Mind for what I have done, tho' far be it from me to *justifie* my self before *God*, before whom nothing *is Pure, nothing is Holy*; but in respect of *my Accusers*, I may take up *Job's* Words to *His*, Ch. 27. V. 5. *God forbid that I should justifie you, till I die, I will not remove my Integrity from me.* If we are *silent* when accus'd, what do we do less than give *Countenance* to the Evil spoken against us, and as it were, *speak falsly of our selves?* It is no less than *blowing* those Coals which are design'd to *consume* us; 'Tis a sort of *Self-Murther, the worst of all Murthers.*

On the forecited Words a learned Commentator remarks, that *Job wish'd* a severe *Wish* upon himself, if he did not endeavour to *clear* himself of the Guilt his Enemies *charg'd* him with, *Excommunicatio* sit mihi, simq; tanquàm *Ethnicus* & *Prophanus*, *Let me be* Excommunicated, *and* thrust out *of the Company of all that are Holy, as an Heathen, or prophane Person, if I render up my self to your Judgment of me, or justifie you, in your unreasonable Reproaches against me. Till he dies* (he says) *he will not remove his* Integrity *from him*; No, tho' it costs him his very Life! *His Innocence is so dear to him.*

A *good Name* is a thing of too great Value to be trifled away. He that robs us of our Silver and Gold, takes away that which is far *less* precious; they can go with us no farther than the *Grave*, the last purchase is the *Coffin* and the *Shroud*; but a *good Name* is a *Treasure* goes with us to *Heaven*, and yet is left upon the *Earth* too, as a Blessing to our Posterity, if a Ravenous Tongue does not steal it from us. *It is better than precious Ointment*, Eccles. 7. 1. *This* only refreshes the Nostrils, *That* refreshes and comforts the Heart. Sweet Ointment affects the Smell, chears the Spirit, and comforts the Brain; but a good Name does all this, and much more, as a fragrant Scent it affects the Soul, amidst the stench of Evil Courses, and bad Company. It is a fresh gale of sweet Air to him that lives (as

Noah

Noah did) among ſuch, as are no better than *walking Dunghills, and living Sepulchres of themſelves.* A *Good Name* preſerves the Soul as a *Pomander*, and refreſhes it more, than the fineſt *Perfumes* do the *Body*. It comforts the *Conſcience*, and exhilarates the *Heart*, and fattens the *Bones*, and does a Man good like a *Medicine*. But; as the ſweet *Ointment* may be corrupted by *Dead* Flies and ſpoil'd for ever, ſo may a *Good Name* be *corrupted, obſcur'd* and *darkned* by *Living* Ones, for a time; but as the Moon wades out of a Cloud, ſo ſhall the Innocency of an injur'd Perſon *break forth as the Light, and his Righteouſneſs as the Noon Day*. It ſhall be with ſuch an One, as with *Cato* (whom *Seneca* calls the lively Picture of Virtues) who has *Two and Thirty* times in open Court *Accus'd*, and as many times *Acquitted*. 'Tis too true, Sir, that a good Name may be buryed in the *open Sepulchres of Evil Throats*, but it ſhall ſurely riſe again, if not in this World, amongſt all Men in the Day of *Judgment*; it ſhall: Nay before, for it will give a Man Comfort at his *Death*. Tho' the Name of the wicked Accuſer ſhall rot, *his Lamp ſhall be put out in* Obſcurity, and leave a filthy *Snuff* behind it; yet the *Righteous and the Innocent ſhall be had in everlaſting Remembrance, they ſhall leave their Names for a Bleſſing!*

However, notwithſtanding a ſevere Puniſhment will aſſuredly be the Portion of the *Slanderer*, and the Innocent ſhall be recompenc'd in the World *to come*, it is the Duty of every Man to maintain his Reputation in *This*. Certainly, for a Man when his *Innocence* and *Honour* are wrong'd, *Tamely*, to give them up a *Sacrifice* to the *Pride* and *Malice* of an Inſolent *Raviſher*, is madneſs beyond Expreſſion. No *Fear*, No *Threats*, No *Servile* and *Slaviſh Awe*: No, nor no *Intereſt* neither, ſhould ſo *poſſeſs* a Man, to prevail with him, to give up his Right in *That*, which is better to him than his *Inheritance*. He that does not call a Slanderer to Account, ſtrengthens the Suſpicion, and accuſes himſelf: *Si accuſatus non reſpondeat, aut Criminis Convictus, aut certè ſuſpectus videatur*; ſays the Learned *Pineda*. Tho' all the Sons and Daughters of *Belial* cannot diſquiet the Mind of that Man whoſe Conſcience is his ſure Guard, and (next to *God*) his *ſtrongeſt Defence*; yet he may ſuffer Injuries too great to be put up. As to the Eaſe of his own Mind, the *Abus'd* Perſon has a great Advantage over the *Slanderer*, and his Carriage and Deportment has ſo too: For the Slanderer is forc'd to *diſguiſe* his Malice, or to *belie* it; But he whom he wrongs is open and bare-fac'd, and *his Innocency makes him bold as a Lyon*; Prov. 28. 1. as the Wiſe Man ſays, and I have found by a delightful and pleaſant Experience.

I have had my Reputation mangled and torn by a *Doeg, whoſe Tongue has devis'd Miſchief, who has given his Mouth to Evil, and his Tongue has fram'd Deceit.*

Hell it ſelf cannot produce any that go beyond ſuch Men in Wickedneſs. When our *Saviour* ſpeaks of the Devil, *He* ſays, when he ſpeaketh a Lie, ὅτι τῶν ἰδίων λαλεῖ, he ſpeaks of his *own*. *For he is a Lyar, and the Father of it.* A great Man does thus expreſs himſelf to our preſent Purpoſe; that *forgoing and immediately inventing ill ſtories, is the ſupreme pitch of Calumny, uncapable of any* Dr. *Barrow*.

Qua-

Qualification or Excuse; Hell cannot go beyond this: The Curſed Fiend himſelf cannot worſe employ his Wit, than in Minting wrongful Falſehoods; Good Reaſon had *Plato* to commend the Law of the *Lydians*, that puniſh'd *ſuch* Men as Murtherers.

Such a *Minter*, ſuch a *Forger*, ſuch a *Slanderer* has endeavour'd *my* utter Ruin: And by due Courſe of *Law*, I have brought him to ſome *ſhame*, and received a *Small* Satisfaction; what I did was out of abſolute Neceſſity, and a juſt Charity to my ſelf, that I might retrieve that Reputation, which by falſe Accuſations, he had in ſome meaſure rob'd me of, without doing himſelf the leaſt kindneſs, as Mr. *Shakeſpear* expreſſes it.

Good Name *in Man or Woman,*
Is the immediate Jewel *of our Souls*;
Who ſteals my Purſe, *ſteals* Trash; *'tis ſomething, nothing*;
'Twas mine, *'tis* his; *and has been* Slave *to Thouſands.*
But he that Filches *from me my* Good Name,
Robs *me of that which not* Enriches *him,*
And makes me Poor *indeed!*

The *Calumnies* he loaded me with, did not *Enrich* him: He affirms, that the Charges he put himſelf to by them, were no leſs than *Two Hundred* and *Fifty* Pounds: *Fairely*; I believe it might coſt him *One Hundred*, and the other *Hundred* and *Fifty*, for *Secret Services*, and *Corrupt Practices*, as *Fetherſtone*, by and by will confeſs by his own *Bribery*, and *Subornation*.

* *Vid.* Clarks *Depon.*

But *Sir*, before I make any mention of him, or the other of *my* Enemies *Worthies*; I ſhall acquaint you with the firſt occaſion of any Difference between us, which was *this*.

Being in Company one Night at a Tavern in *Colcheſter*, in the beginning of *September* 1700, with Doctor *Hariſon*, and *Three* Clergymen, and *Two* or *Three* Gentlemen; the *Learned* Doctor took occaſion to avert *That* that expreſſion of our *Bleſſed Saviour*; S. Luke 19. 42. *If thou hadſt known, even thou in this thy Day*, &c. was meer *Nonſenſe*, that there was neither *Senſe* nor *Grammar in't*. Of the Falſehood and Wickedneſs of the Charge, when he was by *me*, with ſome ſigns of ſhame convinc'd; He fell foul upon the *Biſhop* of *London*, *tax'd* him with *Perfidy*, and *Ingratitude*, becauſe his *Lordſhip* procur'd the Hoſpital of St. *Mary Magdalene*, for the Miniſter of St. *James's*, which (the *Doctor* ſaid) he had promis'd to the Pariſh of St. *Leonards*, in *Colcheſter*. He gave his Tongue ſuch an *Abominable*, and *Inſufferable* looſe, in his Reflections on that *Reverend* and *Honourable* Prelate; that tho' he ſeem'd to be my Friend at the bottom of the Argument, (being Miniſter of St. *Leonard's*) I could not forbear, but take him up roundly for his Sawcy Impudence; and told him, *He might be aſham'd to rail ſo Virulently againſt a* BISHOP, *when he himſelf was a* PRIEST.

Upon

Upon this, Sir, with *Stareing*, *Fierce*, *Fiery* Eyes, he roſe from his Chair, and addreſs'd himſelf to me in theſe Mild Words, *viz. God Damn you, I lied for you* * *Once, but now ſtand upon your Legg*, by God, I'll Ruin you.

*V. Hithe Certificate.

For which *Helliſh* Threat, a Gentleman in the Company cried, *Fie on him*, and told him, *He might be Aſham'd*, and that *I was in the Right*; for, *who could hear his* Dioceſan *ſo baſely abus'd*? But, it was no *mighty* wonder in him to *ſpeak evil* of his *Biſhop*, who in the ſame Breath had *Blaſphem'd* his *God*!

Not many Days after, the *Devil* help'd him to ſuch a piece of Invention, as no body but this *Worthy* Doctor would have cheriſh'd in his *Heart*, or ſpread with his *Tongue*.

Sir, He whiſpers abroad that a *Quaker* Gentlewoman was with Child, and whom ſhould it be by, but (as his obliging way of *fine* ſpeaking was) *our* Levite, *our* Man o' God!

He met Mr. *Benjamin Smyth* (Vicar of St. *Peter's*) in the high Street, and *accoſts* him after this manner; (as I took it from his *own* Mouth, and *minuted* it in my Book) Oh *Ben*! han't you heard the News of *our* Parſon? what do you mean, ſays? Mr. *Smyth*. Oh! replies the *Good* Doctor; *Now he has done Whoring with ſuch a one's* † *Wife, he's turn'd* Franciſcan (you muſt note the Gentlewomans Name is *Frances*) or elſe a Glorious *Conundrum* had been loſt:) Now, (returns Mr. *Smyth*) *you are going to tell me ſomething, you don't believe your ſelf*; no matter ſays *Hariſon*, *True or Falſe*: *I am reſolv'd to Ruin the Dog, RIGHT or WRONG.*

† *Naming a Gentlewoman of as ſtrict virtue as lives.*

Sir! I ſhall make no Reflections *at preſent*, on the *Piety* and *Charity* of this Thought: But, anon you will hear this dreadful Threatning ſo put in Practice, that you will be amaz'd at the Relation.

Whilſt the Doctor was *Plotting* and *Contriving*, to bring about this *Ruining* Deſign, I was making a Viſit to my *Father* and *Mother*, Twenty Miles from home; of about *Ten* days, or a *Fortnight*: At my return, I waited on a Gentleman in the Town, who, at Dinner, was pleas'd to ask me a very *odd* Queſtion; at which, perceiving his Lady to *Bluſh*, I was more than a little concern'd, to know the *meaning* on't; it ſeem'd to me a very *ſilly* one, *viz. How Mrs.* Frances's *Phyſick wrought*? To which, I gave no other Anſwer than *this*; that, *I knew of none ſhe had taken.* Why? ſays my Friend, has ſhe not been *Vomited* and *Bled*? The meaning of this Queſtion you'll ſoon know.

The *Doctor* and his *Agents* (*thoſe little Imps that trade in falſe Reports, and ſcatter 'em abroad*, as Doctor *Barrow* calls *ſuch*) had ſo induſtriouſly *handded* about *this Report*, concerning the *Levite*, and the *Quaker*, that it became a *Town-Talk*; not amongſt the *Rabble* only, but the *Better ſort*, inſomuch that I was forbid Preaching my *own* * Lecture, at St. *Peter's*, on the *Sunday* Evening, and my Courſe on the *Wedneſdays*: For *my* Adverſary reſolv'd, with *Jeremiah's* Conſpirators: *Je.* 18. 18. *To deviſe deviſes againſt me, and to ſmite me with the Tongue, that no heed might be given to my words* (*in*

* *It was called* my *Lecture, becauſe I* began *it, and almoſt* alone *ſuppli'd it.*

my

my own Parish-Churches, or my Neighbour's) as you may see by this following *Letter* from Mr. *Smyth*.

Tuesday Morning, *Oct.* 22. 1700.

MR. Smythies, *The* Report *concerning the Young* Quaker *is now no less* Publick *than* Scandalous. *It was Yesterday the general Talk at the* Sessions (there he means the Sessions Dinner at a Tavern) *both Mr.* Salter *and I were* Teiz'd *and* Blam'd, *by* most *People, for being seen in* your *Company, after such a* Report, *till you had clear'd your self* Publickly, *and did* freely *declare it to be their Opinion, that* your Preaching *on* Sunday *last, had done more* Hurt *to my* Reputation, than your Sermon *could do Good, to my People: This is not the Tattle of a few* Gossiping *People, that love to be* meddling; *but 'tis the* serious *Advice of the* most, *and most* considerable *of my Parish; and of those too who have ALWAYS HITHERTO shew'd you* Respect, *that you should not Preach at St.* Peter's, *till you had* manifested *your* Innocence *to the* World; *in compliance with whose good Advice, I have desir'd Mr.* Salter *to* Preach *to morrow Morning, and to* Read Prayers. *If I can contribute any thing towards the* Satisfaction *of the Publick, by Advice, or otherwise, you have Reason to believe from what I have done before, that I shall be*

Your Friend and Servant,

Ben. Smyth.

Was not this, *my Friend*, a *Cutting* Letter (think you) to *one*, who had supplied the *Sunday* Evening Lecture (almost *alone*) for above *Two* Years, and a *Wednesday* one for above *Six* Months? And, was it not high time to look about, to find out the MAN (*the* Devil, *I was going to say!*) who had shot at me his *Fire-brands, Arrows*, and *Death*?

The Day after the Receipt of this Letter, I sent for Mr. *Smyth*, to come to me to an Inn in the Town; He refused coming *two* or *three* times, into *Company so Scandalous as mine* then *was*: Tho' but a little time before, when he went into the Country for Recovery of his Health, he left the whole Business of *three* Parishes to my Care, and so he had *often* done. But now! Behold a suddain and most surprising change! However, he was prevail'd with to hear what I had to say, why Sentence of *Separation* should not pass between us; He comes to me with Captain *Potter* (the *Mayor*) and several other Gentlemen. I read 'em Mr. *Smyth's* Letter: I entreated 'em, (especially Captain *Potter*, who was ever my *singular Friend*) *to put me in a way*, how I might *clear my self Publickly*, unless I could find out the Author of this *Damnable* Story; and *then* they should all see, I would make a *Publick* Example of *him, and a Publick Manifestation of my Innocence to the World.*

Immediately the *Mayor* ask'd me, *If Mrs.* Frances *would give her Affirmation, that she was not with Child by me*? I was startled at the *Question*, but was not to seek for an *Answer*. *If she would* (he said) "though he was not "us'd to *follow Justice*, he had that *Respect* both for *Her* and *Me*, he would go to her House, and take it, which the next Night he did, and her Maids Oath besides; both Penn'd by Mr. *Smyth*, in the presence of Mr. *Salter*.

Col-

Colcheſter, Oct. 24th. 1700

MRS. Frances Feedam *of St.* Leonards *Pariſh in* Colcheſter, *made her* Affirmation, *before me; that ſhe is not with* Child *by Mr.* Smythies, *or any other Perſon; and that ſhe never ſaw any thing by Mr.* Smythies, *but what was* Civil *and* Modeſt; *and that he never* offer'd *any thing to her, that did any way tend to* Violate *her* Chaſtity.

Frances Feedam,

Taken before me,
John Potter.

October 24th. 1700

ANNE Blower, *upon her Oath ſays, that ſhe has been a Servant to Mrs.* Havens, * *above theſe* Two *Years, and has waited upon Mrs.* Feedam, *and that ſhe never ſaw any thing immodeſt or uncivil between Mrs.* Feedam *and Mr.* Smythies.

* *Mrs.* Freedam's *Aunt.*

Anne Blower,

Jurat coram me,
John Potter.

This gave great *Satisfaction* to *mine* and the *Churche's* Friends, and to the Town in *General*; being *all* that could be done, till we ſhould find out the *Salvage-Raviſher* of a *Prieſt's*, and a *Virgin's* Reputation; *Her's ever unſpotted*; *mine*, when ſullied with the foul Breath of an *Abandon'd Wretch* (late in a * *Jayl* for *Roguery* and *Treachery*,) *abundantly* clear'd, by Perſons *Reverend* and *Honourable*.

* *P. Counter.*

Whilſt the unſpeakable Affliction of ſo *Vile* a *Reflection* was upon me, and I was pondering in my Mind, what I had *done*, to deſerve ſuch a *ſtroke* from the Almighty; complaining to every one I met of my *Hard Meaſure*, who had been ſo ſucceſsful in my *Miniſtry*, (by the *bleſſings* of *Heaven*, upon my *poor* Endeavours) to bring great Numbers of Diſſenters (in this *Divided* Town) to the *Service*, and *both* the *Sacraments* of *our Church*; that a *Blot*, and *Reproach* ſhould *ſtick* upon *Me*, and I not know from whence it came, that a Train of *Tongue*-Powder ſhould be laid to blow up my *Good Name*, and I not find out the Murtherous *Fawks*, methought it was hard! How truly might I ſay with a Great Man, labouring under the laſh of the Tongue of ſuch a Rabſhakeh (as mine.) *

Amidſt a Thouſand Thoughtful Ruminations perpetually flowing from my (almoſt) Frenzied Mind, *ever ſeeking*, but *never finding* Reſt: I hapn'd (I can't ſay by *Accident*, but) by *Providence* (the conſtant Succour of the *Innocent*, and *Injur'd*) to meet with a *Gentlewoman*, who in the midſt of my ſinking Sorrows, diſcovered to me the *Contriver*, *Fomenter*, and diligent *Spreader* of this *Foul* and *Accurſed* Calumny,

* *Quo putas Animum meum dolore affecit Famæ calumniæ illius, quam mihi effuderunt quidam, non metuentes Judicem perditurum omnes loquentes mendacium? Tanto videlicet ut propè totam noctem inſomnem duxerim.*

py, and gave me under her Hand, that Doctor *Harison* ſaid theſe very words to her, in St. *Botolph's Street, viz.* "Mrs. *Frances Feedam* is with Child by "Mr. *Smythics, our* Parſon; and, by God, ſhe is *Four Months* Gone with Child: "The *thing* is *true*; ſhe has taken Phyſic, been *Vomited*, and *Let Blood*, *Four* "times to *make away* (or *Deſtroy*) the Child.

When I underſtood this, and cou'd fix it upon ſome body, you may eaſily imagine, it was no *ſmall joy* to me; but, when I conſider'd *who* it was I muſt *Cope* with, it was a great *Abatement* of it. To go to *Law* with a Man Abounding with *Mony* (but, much more with *Malice*;) a Pariſhioner of mine, and one whom I knew would ſpare no Coſt, to obtain his end, and accompliſh his Deſign of Ruining me RIGHT or WRONG; who had often in his Cooleſt Temper, Declar'd, "*He deſir'd to live no longer than he* "*could be a* Plague *to Mankind*: (Hitherto he has had his Deſire, fully:) And, to ſeveral had juſtifi'd this *his* Principle, who had (I knew) loſt in the Salt-Trade near *Five Hundred* Pounds, by ſelling it at an under Rate, on no other Account, but to prejudice his Neighbour, that dealt in the ſame; who in a word, was ſo terrible an Enemy, that he would not ſtick at any thing (*per fas & Nefas*) to overthrow me, as you will plainly ſee, before I have done.

* Mr. *Hollister.*

Notwithſtanding *all* theſe, and many *more* Diſcouragements, I concluded with my ſelf, there was no other way of *clearing my ſelf publickly*, and, *Manifeſting my Innocence to the World*; but by bringing my Action (at Common Law) againſt this *Mighty Man*, which I did in *Michaelmas* Term, 1700.

No ſooner was the *Writ* come down, but he fell a *Railing*, and *Threatning*, and *calling* me all the little naſty Dogs he could lay his foul Mouth on. Had I been the Son of a Poor *Oliverian* Apoſtate Parſon, and the Grandſon of a *Pedlar* (as he himſelf is,) he could not have treated me worſe.

He Swore he'd *do my Buſineſs*! He'd *unſaddle me*! "*I ſhould neither have a* "Church *to preach in*, a Houſe *to live in*, *nor a* Bed *to lie on.*

† *Very hard.*

† And *one* time (above *all* the reſt) he was pleaſed to be very *particular* in his *Menaces*; when he was told, "*He did* "*ill to invent ſuch a Story*, and had brought the *Trouble* and "*Diſgrace* of an *Arreſt upon himſelf*; he told the Company *flatly* and *plainly* (which one of 'em ſwore at the Aſſizes at *Brent-wood*;) *If ever* Smythics *came to Tryal in this Action, he'd make him fly his Country, he ſhould never Preach here more; by God, He,* &c. †

† *This,* &c. *is the Adulterous Charge againſt me, with the aforementioned Gentlewoman, of too* Great Worth, *to be nam'd with* Him, *and the Wife of my Generous Friend.*

You'll ſoon know what this *extraordinary* Doctor meant by the *Threatning* part of this *Good* Sentence; for the latter, he never attempted to make good one word on't.

One wou'd have *Thought*, Sir, that the *firſt* Report here was *Provocation* enough to move a *Stone* to *ſtir*, and to *fly* in the Slanderer's *Face*. *There* is *Fornication* in *her*, and *Adultery* in *me*, with *a Maiden Gentlewoman* of a *Good* Fortune: *There* is Couch'd an *Intentional* Murther on *me*; on *her*, a *Real* one; *as every forc'd Abortion* is: *There* is the *time ſet*; "ſhe's *Four Months gone with Child*: *There* are the *Methods* obſerv'd, ſhe took to *Commit* this *Murther*, and the *Number* of *times* ſhe did it.

it. The *Methods* are *Vomiting and Bleeding*; the *Number, Four times*: (*A great many indeed*!) 'Twas a great ſign of a *Wondrous ſtrong Conſtitution*! But as he knew the *whole* to be a *Lie* of his own *making*, to RUIN me RIGHT or WRONG: So methinks, tho' the *Malice* of the *Devil* never *fail'd* him; *His ſubtlety* did, and he *talks* more like a *Fool* than a *Phyſician*, to ſay, "ſhe was *let Blood* to *make away*, or *Deſtroy* the Child.

Had this Doctor *Vomited Mary Miller*, *ſhe* had not gone to Mr. *Alderman Seabrook*, to make *Oath* before him, when he was *Mayor* of *Colcheſter*, *Ann.* 1691, that Doctor *Hariſon* got her with *Child* upon the *Couch*, in his own *Parlour*, on a *May* Day. But, *Renegado* Perſons, turn'd *Morocco*-Doctors may have a *Frolic* on a *May* Day, ſure! I call him a *Renegado*, becauſe, contrary to the 76th *Canon*, *He has voluntarily taken upon him a Courſe of Life of a Layman*; for which the *Canon* ſays *poſitively*, "*He ought to be Excommunicated*; and with very *Good Reaſon*! For, a *Renegado-Prieſt*, ever makes ſo *Scandalous* a *Lay-man*, that he is not fit for a *Church-Communion*: I am ſure, *Our Hamet Ben* is no *Exception* to this *Rule*. When *Haddu Ottor* † *viſited Cambridge*, this *Spark* Jump'd out of his *Orders* (and has *never* been in *any* ſince) into the *Phyſicians Cap*, when *another* would have fitted him *Better*. Had he been forc'd to have *kept* an *Act*, he could have kept a *Muſic*, every whit, as well as a *Phyſic* one. And would have ſerv'd as well for a *Dancing Maſter*, for all his *wither'd Right Hand*, and his *Shambling* Gait; But I leave him to his *wondrous skill*, in *Bleeding* young Women to make 'em *Miſcarry*, and ſhall *touch* a little upon another *Complement* he was pleas'd (I thank him) to paſs upon me. He has not only *drawn* me to the World in ſuch *Vicious* and *Ugly Features*, as if Doctor *Hariſon* had ſat for the *Picture*; but (forſooth!) I muſt be a *Fool* too, and a *Block-head* (at his Service;) (though I ſhould be loth to act the *Fool*, ſo often as he does the *Mountebanck*,) or if I did, my *folly* would not be ſo *fatal*, as his *Phyſic*!) Yes, I muſt be ſo! "*wholly incapacitated* for my Office, as he moſt maliciouſly inſinuated to a *Gentleman* in my Pariſh (of St. *Leonard's*.) Upon his *commending* a *Sermon* of mine; our charitable *Morocco*, ſhrug'd up his Shoulders, and fell a *Swearing*, that "*He* (*meaning poor Me*) *is ſo much a* Fool *and a* "Blockhead, *that he can't* Write; *He can't* Write *his own Sermons*: *He has* "*an* Amanuenſis *up-Town*, *that Writes all his* Sermons *out of Printed Books*.

† *The* Morocco *Ambaſſador*.

Here is *Malice*, without *Wit*, or *Senſe*! But it is *ſuch* as he has in a *plentiful* manner *Wreak'd* upon the whole *Body* of the *Clergy* of *Eſſex*, as he *Charitably* expreſs'd himſelf towards 'em *All* in theſe *Words*; "*They are all a pack of Fools* and *Blockheads*, *Logger-heads* and *Sots*. (*A Goodly ſaying*!) † At the ſame time, one of 'em made ſuch a *Dunce*, and ſuch an *Aſs* of him (in a *Greek* Sentence that he *brayed* out, and *Blunder'd* in) that he was perfectly *mute*. So did, at another time, a *Modeſt Ingenious* Gentleman. Fellow of *Cajus* College in *Cambridge*; when this *Pretender lied* to him, that he had Written a Book in *Latin*, in the *Mathematics*. The Gentleman began to diſcourſe with this *Smatterer*, and found him as *Arrant* a *Dunce* as ever he met with, and puzzl'd him in the *Third* Propoſition of *Euclid*. Was not this a *pleaſant Fellow* to fancy with himſelf, that an ill-repeated piece of *Greek* would make him ſeem a Scholar

† *Mr.* W. Haſt.

before a *Maſter* of the *Language*, and a *Lie* of his making a *Latin* Book of the *Mathematicks*, when yet he knew nothing of the *matter*? He could make out no *Demonſtration*, but of his *own Folly and Impudence*, which are *Mathematically clear* to all *Mankind*. This is a *Ben* indeed! But why *Ben* ſhould call the *Clergy* after his *own* Name, *none* but *himſelf* can *tell*. But, what can we of the *Inferior* Clergy expect from ſuch an *Atheiſtical ſcoffer*, and *Bold Reviler*, who *dar'd* to charge *Infinite Wiſdom* itſelf, with *Folly*, and *Nonſenſe*: And one of the moſt *Grave*, as well as moſt *Truly Noble* of our *Biſhops* with *Perfidiouſneſs, and Ingratitude*.

I muſt obſerve to you, *Sir*, that our *Good Biſhop* has an *Opinion* of this *his*, and *our Adverſary*, for *repairing* the *Church* of St. *Leonards*, when he was *Church-Warden*: But *every body* knows (except his *Lordſhip*,) he did even *that* out of *malice* to the *People*; not *love* to the *Church*. At that time, when he had ſeverely *drein'd* their *Purſes*, he *inſulted* over their *Perſons*, and (to ſhew his Breeding, after ſo *Noble* an Exploit,) he call'd 'em all *Vermin*, *Scoundrels*, and *his Vaſſals*; when yet there were ſome of 'em *Gentlemen* of *Families*, and *Antient Coats* of *Arms*, when his *poor Grand-father* had *none* to his *Back* (if he had 'twas a very *Antient* one) nor (ſcarce) any thing to *cover it*, but a *Budget*.

You know *Me* too *well*, *Sir*, not to *know* that I would *ſcorn* to reflect upon his *Beggarly* Progeny; but that *this* ſame *purſe-proud Scaramouchin Lord* is over every body, *Abuſes* the *Rich*, and *Grinds* the *Poor*. There is no Man ſo juſtly *deſpis'd*, nor ſo univerſally *hated* as this *Creature*; on the Account of *his* frequently repeated *charitable* Expreſſion, towards *all* Men, *That he deſires to live no longer than he can be a plague to Mankind*. Bleſs me! what *Words* are theſe! For a *Creature* that wears the *ſhape* of a *Man*, and has *read Books*, and *has been* a *Servant* at the *Altar* of *God*, brought up at the *School* of *Grace*, a *Preacher* of *Gods* Holy Word *Ordain'd*; to *dare* to *Threaten* his *Fellow-Creatures*, and make himſelf ſuch a *Monſter* of Inhumanity, is a conſideration *Amazing*, and *Terrible*! Did the World abound with ſuch Wretches, what a *Wild* Foreſt of Sa'vages wou'd it be!

And, yet this *Harlequin*, a few years ago, had the *Confidence* to oppoſe Sir *Iſaac Rebow* in his *Parliament* Election, and made a mighty *Noiſe* and *Splutter*, and *buſsle* to get himſelf into the *Houſe* of *Commons*: And *miſs'd* it but by a *few*! For out of about *Twelve Hundred* Voters, he had (for *fifty* Pounds ſpending) juſt *Thirty One*, which made him *juſt* the *Game* of all the *Town* and *Country*; and *they* were ſuch *poor Scandalous* Fellows, as neither Sir *Iſaac Rebow*, nor Sir *Thomas Cooke* would have been very fond of.

'Tis *pity*! But who can help the *Ignorance* of *our Electors*! That ſcarce *one Gentleman free Burgeſs*, ſhou'd underſtand the Merit of this *worthy*! Surely, he muſt have been a moſt *Excellent* and a moſt *admirable Senator*! Who has ſuch an eſteem for an *Honourable* Biſhop, a *Venerable* Clergy, and ſuch a *tender* regard to all Mankind! But in a more *ſpecial* manner to *Me*; for which I return him this *Paper* of Thanks, and have *Ten* times more at his Service. What can I do *leſs* for *him*, who has done ſo *much* for *Me*? He is not unmindful of his *Promiſe*, to *Ruin me* RIGHT or WRONG: For the time coming about, that we muſt go to *Tryal*, he reſolves to fortifie himſelf with

with *staunch Witnesses*, and Matters (if not of *Adultery*, yet) *highly scandalous*; which if they could not *do my business*, at *Common* Law, should wholly *Unsaddle* me in the *Bishops* Court; for (his own words were) "*If ever* Smythies *came to Tryal in this Action, I'll make him fly his Country, he should never Preach* † *here more*. This was a Terrible Threat! And I must be a *bold* Man to stand the *shock* of his *Thunder*: For, he (formerly a *Priest*) is now turn'd *Prophet*, and knew in *March* what wou'd happen in *June*.

† *Colchester*.

In *June* 1701. *my Attorney* gave *his* notice of *Tryal in Aug.* On the 14*th* of *June*, one *Joseph Vince* sent his Wife to me, whose Face I knew no more than I did Doctor *Harisons* Grandmothers, (with her Pins, *Thread* and *Laces*,) tho' once I had seen her in the street, when she ask'd me my *Name* (so *well* we were Acquainted) and desir'd me to speak to my Cousin Mr. *Henry May*, that her Husband might have a small parcel of *Land* of his, to which he wanted a *Tenant*, and I recommended one *Thomas Ludkin*, who was about *Seven* years my Servant: But the Ground being Inconvenient for him, this *Vince* (who was *felling* a Tree with him, when my Cousin *May*, my *Father-in-law*, and I went to him about it) enquiring of him what Mr. *May* came for, he presently had thoughts of *hiring* it; knowing I was related to him, he sent his Wife to me, a Second time (on the 14*th* of *June*: †) she found me at the *Tavern*, about 8 or 9 at Night: She desir'd me to write *then*, and her Husband should carry the *Letter*, to my Cousin, who lives *Ten* Miles from hence; I went into a *Large low* Room, with an intent to *write*; but Recollecting with my self, that the *Gentleman* was to be at my House the *Monday* following, I did *not*; but when he came I told him the Business, and by his Order, sent *Jo. Vince* over to him, and he *hired* the *Land* of him.

† *See his Depesition.*

This, Sir, hap'ning the very *week* that I gave Dr. *Harison* notice of Tryal; the *Doctor* resolv'd to improve it to my *utter Ruin*: For now he could *say*, and not *lie* (which is a thing *not* very *common* with *him*) that, "*I was at a Ta-*
"*vern with a Woman alone, drank part of a Pint of Wine, I was there near a*
"*Quarter of an hour in a Great Low Room, big enough to hold Forty, and this Room*
"*in a large Stone Yard, where people pass, and repass every Minute*; and all this *live-long* while Doctor *Harison* in the House.

Oh! what a *Happy* Minute was *this*! Away triggs the Doctor, after he had given *Pack* and *Fetherstone* their *Lesson*, and reports the *Devil and all* about Town; when I came into it next, my *Ears* were fill'd with *stories* so *foul*, that between the *Ridiculousness* and the *Nastiness* of 'em; I was almost *mad*. All this while Doctor *Harison gloried* in the *mischief* he was *Hatching*: And that he might *perfect* it, he gets very *Drunk* (least the *Devil* should fail him if he were *Sober*) and goes down his *Dear* self, with *Pack* and *Fetherstone*, to our *Recorders*, before whose *Worship* they swore (like any *Oates*) strange *Indecencies* between Mrs. *Vince* and *Me*. The *Recorder* (out of his *Abounding Wisdom*) Grants a Warrant against me: The *Graduate* Physician (forgetting that he himself was a Priest) charg'd the *Constable* to *hale* me away before his *Worship*: But the Constable had more *manners*, and left me to go *by my self*. When I came there, and saw my Two *blessed* Accusers (vex'd as I was!)

I could not forbear Laughing. I carried my *Attorney* with me, and demanded a *ſight* of the *charge* againſt me; the *Recorder* told me immediately *it was ſent to the* Biſhop *of* London: His wiſe Worſhip bound me over to anſwer *it* (he knew not *what* tho') at the Town-Seſſions! But afterwards, the *Recorder* being ſatisfied of the *Villainy* of the *Two* Sons of *Belial*, and their *Elder Brother*, withdrew the *Recognizance*, and I heard no more of it, after I had complemented his Worſhip, by a Bailiff, with a Greeting from the *King*.

However, upon *this*, ſome *Gentlemen* of the *Robe*, without any notice taken of the *infamous Characters* of *Pack* and *Fetherſtone*, (on which Evidence, I'm very certain, no *Judge* would *hang* a *Dog*, or *Biſhop* ſuſpend a *Scot*;) wrote a Letter to the *Biſhop* of *London*: His Lordſhip return'd 'em Anſwer, that *I ſhould be proſecuted with the utmoſt Rigour of Law*. As you will ſee *by and by*.

In the mean time our *Ben Hamet*, ſubpœna's theſe two *ſpecial* Witneſſes, *Pack* and *Fetherſtone*, to the *Aſſizes*; where *Aug. Twelfth*, in the *Afternoon*, our *Tryal* came on. My *Declaration* was fully proved, in reſpect of Mrs. *Feedam*; *my being a Fool*, &c. as you have ſeen the words laid, at leaſt (as my L. C. J. *Holt* ſaid,) *the Witneſſes came up to the ſenſe of 'em*.

The *Morocco* Doctor (who indeed ſhould have been a *Salamanca* one, for he was in the *ſame* Orders with *Oates*) produc'd *Witneſſes* of great *Worth* and *Credit*, againſt *me*, and my Witneſſes, in *Mitigation* of *Damages*, viz. *Eliz. Belgrave*, *Eliz. Brooks*, alias *Perry*, and *James Woodward*. *Pack* and *Fetherſtone* appear'd, and began to *open*; but my Lord Chief Juſtice (who has a ſtrange *diſcerning* Eye,) ſaw Villainy in their very Looks; ſo that really I have often thought of Judge *Hale*'s Judgment, that the *Civil Law* is not altogether ſo *fair* as the *Common*; the Reaſon his *Lordſhip* gives is, becauſe a Caſe at *Common Law* is decided by a Jury of *Twelve*: in the *Civil*, but by *One*: But I will preſume to ſay farther, that a *Judge* and *Jury*, may ſometimes ſee the *Villain* thro' the *skin*, which is *not* to be *ſeen* in *Paper*. And *Two* ſuch *hanging*, *ill look'd* Wretches are not every Day to be *ſeen*, as *Pack* and *Fetherſtone*!

Sir, You will ſee in the *Depoſitions*, what was ſworn againſt me at the Aſſizes, to which I *refer* you, and may I be Thought every whit as ill a Man as Doctor *Hariſon*, and *his* Familiars, would repreſent me; nay (*to go farther*) may you eſteem *me* as bad as *himſelf* (which is Comprehenſive of all Evil,) if I don't deal fairly with you, and ſet every thing in a true Light: Then do you *Judge* who has given *ſcandal* to the *Church*, I, or my Accuſers.

The *Witneſſes* produc'd againſt me, at the Execution of the Promoters Commiſſion were (almoſt) all ſubpæna'd to *Brent Wood* Aſſizes by Doctor *Hariſon*: There were but *Three* of them *heard*, viz. *Belgrave*, *Brooks* and *Woodward*; what they depos'd *there*, they depos'd *here*. And is as follows, *viz.*

* Brooks *and* Belgrave.

† *At* Brentwood, *Aug.* 12. 1701.

* *Elizabeth Belgrave*, and *Eliz. Brookes*, alias *Perry*, ſwore, that, in *Chriſtmaſs* time laſt, was *Twelve-month*, they were together in Mr. *Harington*'s Houſe, about *Twelve* a Clock at Night: And when *Brookes* went home, they Two *open'd* the Street Door together, and there ſaw Mrs. *Williams*, and *Me*, in a very *undecent* Poſture in Mr. *Harington*'s Porch. Beſides the *Impoſſibility* of their *ſeeing* what they *pretend*, (*Had*

it

it been done) they have directly *Contradicted* themſelves. At the Aſſizes, they *Swore* to about *Twelve* a Clock at Night, in *Chriſtmas* Time; In their Depoſitions in *Doctors-Commons*, One of 'em depoſes the *ſame* thing (and never but *once*) to be about *Eight*, and in the Month of *April*: There is a *little* Difference! But, the Doctor had not *inſtructed* 'em, as he *ſhou'd* have done; tho' *Perry* confeſſes; that, "*She was with Dr.* Hariſon *juſt be-*"*fore her coming to be examin'd in this Cauſe*, and was with him upon THAT *Account.* This Indecency, theſe Two *Wenches* ſwore to have been done *Sixteen* or *Seventeen* Months before they ſwore it: 'Tis much they ſhould have ſuch a *Retentive Faculty*, to keep it *in* ſo long! I do *Solemnly*, in the Preſence of *God*, declare, that I never heard one Syllable of it, till I heard it *ſworn* by them.

* *Inter.* 32.

Belgrave ſwears beſides *all this*, That "*She has heard me uſe, and utter* "*the Holy Name of* God *in* Vain. To my Great Sorrow, *This* is *too* true! She never came to *Church* to hear me, but I prayed *heartily* for ſuch *Monſters* (as She is) but, I did *call upon the* Name *of* God *in* Vain: For neither *Praying* or *Preaching* ſignified any thing to her *then*: *Now*, I hear She has bitterly repented of her Perjury, which when I am ſenſible of, I ſhall be more ready to Give her *my* Pardon, than ſhe will be to *Ask* it. She ſwore too, * "*That ſhe has* obſerv'd *me* to be Addicted *to* obſcene Talking, and *Swearing*, in my *Common Converſation.* Wondrous *Familiar* ſure I was with my Enemy's *Cook*-Maid! when She is told of theſe *Abominable*, and *Ridiculous* Perjuries. She ſays, ſhe did *not* Swear what People *Report* ſhe *did*, or if ſhe did, ſhe intended it *not*: So that ſhe might ſay with the Woman in the Tragedy, "* *Juravi Linguâ, Mentem injuratam gero*, I *have* ſworn *with my* Tongue, *but not with my* Heart. *Perry* ſwears, that the *Buſineſs* between Mrs. *Williams* and *Me*, was *Three* Weeks, or a *Month* after *Chriſtmas*: *Belgrave*, to about *Two* Years and a *Half* ago (from the 6th Day of Oct. 1701.) *'Tis Pity they don't agree better!* What *Raſh* Swearing was here! more in *Jeſt*, than in *Judgment*, with a great deal of *Heat*, but no *Fear* of GOD or *Man.* The Reaſon why they ſwore ſo *home* againſt Mrs. *Williams* was, becauſe ſhe was *one* of my Witneſſes againſt *Hariſon*, and *always*, till *then*, eſteem'd a *Gentlewoman* of an *unblemiſh'd* Reputation, by *all* her Neighbours.

* *Art.* 38. *in the Interrog.*

* *Eurip.*

I was very much *ſurpriz'd* at what they ſwore, but very little *Daunted*; which made a *Great* Man ſay, "*He was ſorry to ſee me* ſo little concern'd; "*That HE was more* troubl'd *than I.* I am glad it was no *Worſe*! He that could ſo readily Trump up Two Daughters of *Belial then*, and Three or Four more of the *ſame* Tribe *ſince* (and you know *Sir*, that the Belialites are a very *Numerous Family*!) to ſwear *Indecencies*, would not have ſtuck to've *procur'd* one of the *Siſterhood*, to've ſworn a RAPE againſt me, as his *Socinian* Brethren

thren did againſt *Si. Athanaſius*. * *They* got a *Beſs Belgrave* to ſwear before the Council, that the *Biſhop Raviſh'd* her. But, the good *Biſhop* ſmoking the Deſign, brought one *Timotheus* a *Presbyter*, into Court with him: The Woman not knowing *one* from the *other*, *Timotheus* calls out to her; "*Woman, was I ever at your Houſe? Did I ever as you pre-*"*tend, offer Violence to you? YES, YES* (Replies Madam,) "*Tu, Tu mihi vim feciſti, Tu, in illo loco commaculaſti Caſtitatem meam*: Pointing to him with her Finger, and ſtretching out her Hand, "*You are the*"*Man that forcibly preſs'd upon me, and ſtain'd my* Chaſtity "*and my* Honour. Adding as in ſuch Caſes is uſual both the *Time* and *Place*. † How could I be ſo *mightily* caſt down, as ſome would have been, at the *ſenſeleſs* Slanders of my Enemies, when this Great, and Good Man was ſeveral times *depriv'd* of his *Biſhoprick*, and liv'd *Six* and *Forty* Years in Trouble, had no Friend, but GOD and DEATH, the one a Defender of his *Innocence*, the other, the Finiſher of *all* his Miſeries.

* *Eaſ.* l. 10. c. 17. p. 232. V. Cave's *Life of St.* Athan. p. 81.

† Twelve *a Clock at Night. Mr.* Harington's *Porch.*

* The next that *ſwore* againſt me was *James Woodward*, whom Dr. *Hariſon* promis'd, if he'd ſwear any thing againſt me, *He'd be a* Friend *to him as* long *as he* liv'd, as he himſelf told a Neighbor of his. † *He* ſwears that he ſaw me in the ſame *Indecent* Poſture with Mrs. *Frances Feedham*, that *Belgrave* and *Brookes* did with Mrs. *Hannah Williams*. He ſwears too, that when I was deſir'd to *Baptize* a Child of his, I was ſo *Overcome* with Drink, that he would not let me do it: But Mrs. *Holliſter* was *then* and *there* preſent, and has ſworn the contrary: The Truth of the Story is, that his Mother (a *Quaker*) was there, and *She* was againſt it, otherwiſe it had been done. He ſwears too, that he has known me very often in my *Common Converſation* talk *Obſcenely*. I proteſt *ſeriouſly*, I don't know that *ever* I was in this *poor* Fellow's Company in my Life. But, the *Two* Wenches and *He* muſt ſwear alike! He ſwears, he had ſeen me *overcome* with Drink at the *Old* Tavern, at the *White-Hart*, and at the *Swan* in *Colcheſter*: 'Tis much this *Butcher* ſhould ſee me in all theſe *Taverns*? I dare ſay I *never* ſaw him at *any* Tavern, nor does the Maſter of any Tavern in *Town*, know him, I believe, ſo much as by Sight: When he can get *Two* or *Three* Pence, the *Ale houſe* is ſure on't; but he's no Gueſt for a *Tavern*: Of the *Drinking* Part of his *Evidence*, I need take no Notice; but, the *Indecency* I have ſomething to ſay to. At the Aſſizes, he ſwore this *very* thing to be done in a *Small-Beer Buttery*. In the Nineteenth Interrogatory, I ask him, in what *particular Room* the *Indecency* was committed: He Anſwers, "*He cannot tell.*" The Reaſon of this is, becauſe he knew, had I known one Syllable of the Matter, before he ſwore it, I could have prov'd that I never was in the *Small-Beer Buttery* in my Life, nor had it been in uſe for *Six*

Years

* Woodward

† *And, really he deſerves* better *than any of 'em all, for he ſwears* thorow-ſtich, *and ſcorns to miſs one Article, but ſwears all home againſt me.*

Years before. But, Oh! How Poſitive are ſome Men, as Dr. *Stanhope* obſerves in his *Aſſize-Sermon*. † Men (ſays he) "of *Proſligate Conſciences*, and that *Swear* for *Gain*, or *Malice*, are even *more Poſitive* in Matters of *Falſehood*, than "*Better Perſons* are in the *Greateſt Truths!* Such People commonly, as they do the Work of the *Devil* (whoſe Buſineſs it is *Falſely* to "*Accuſe* the *Innocent*) ſo they do it with the *Spirit*, and all the *Venom* of the "*Devil*, and ſtick at nothing, to compaſs their *Wicked Ends*: Therefore "as to the *Credit* due to a *Witneſs*, the Man's *Good* or *Ill* Behaviour ſeems "to *Challenge* a yet *greater* Conſideration. For (*he* goes on) we have little "Ground to imagine, that the Men who make *no* Conſcience of what they "*do*, will make any *Great* Conſcience of what they *ſay*. PARTICULARLY "where WANT is the Effect of *Wickedneſs*, and WITNESSING a *Trade*, "taken up for the Relief of it. How nearly theſe excellent Words come up to Dr. *Hariſon*'s *Poor, Wicked Witneſſes*, I leave you, *Sir*, to Judge: And amongſt the reſt this *Butcher*, who is a very poor Drunken Fellow: I ſhall take no farther Notice of his Evidence, only that he's *very Croſs*, and will not anſwer to my *Eighth* Interrogatory, *ado loco, viz. whether* he conforms to the *Church* of *England*. I don't remember, that in *Seven* Years *Conſtant Preaching* in his *Pariſh-Church*, I *ever* ſaw him *there, once*.

† *Before my L. C. J.* Holt, p. 13.

Theſe *Three* were all the Witneſſes ſworn at the Aſſizes: And notwithſtanding what they depos'd; tho' I cou'd not prove any *Real* Damage, the Jury gave me *Sixty* Pounds, and *Hariſon* has paid better than *Fifty*. Now for the *Spiritual* Evidences; tho' moſt of 'em prove very *Carnal*. The firſt of 'em is *Suſanna* * *Brewer*, whoſe *Beaſtly* Evidence *you* can't *Read*, or *I Write*, without *Bluſhing*: I ſhall leave out ſome of the *Naſty* Words, but not fail (a Tittle) of the *Senſe*.

* Brewer

She *Swears*, "She has known me about *Eight* Years *by Sight*, and that, about Two Years, before this her *Witneſſing*, ſhe was ſent by her *Husband* "(a poor *Farrier*, upon *Lexden*-Heath) with a *Box* of *Pills* to one *Anne* "*Chandler*, who then liv'd at the Houſe of Mrs. *Planting*, being a *Publick* "*Houſe*, in *Butt-Lane*, in *Colcheſter*, to *cure* her of the *Foul-Diſeaſe*, or "*French-Pox*, which ſhe the ſaid *Anne* labour'd under, and when this *Deponent* was come to the ſaid *Planting*'s Houſe, and enquiring for the ſaid "*Anne Chandler*, ſhe (this *Deponent*) was *told* by ſome Perſons, then in the "Houſe, and *Laughing*, that, ſhe, the ſaid *Anne* was above Stairs, *at Prayers with the* Parſon: And thereupon this Deponent went up Stairs, and "found the ſaid *Anne lying* on a *Bed* [Here I muſt leave her to her own *Bawdy* Dialect) Words too *Foul* for *my* Pen, but) in a moſt *Scandalous* Poſture, with *all* the *Filthy Circumſtances* of her *own* TRADE: And that after all this, "I proffer'd her *Four Half-Crowns*, for an *Embracement* (as ſhe calls it) and ſhe was ſo *poſitively* certain of the *Adultery*, that ſhe "*ſaw the Inſtruments of it*. She ſays all along, ſhe *took* and *believ'd* it to be *Me*, but "was not *certain*: However *Anne Chandler* told her, "It was *Parſon Smythies* of *Mile-End*. That, the *Whore* "went down Stairs for *Burnt-Brandy*,

"and all the while she was gone, I walk'd about the Chamber with my "Wigg off, and *She* told me I had been at very *Hot* Work.

This is a Blessed Evidence! A little too *Modest* for her *Majesty's* Advocate to read, in a Court against a *Clergyman*, but it did *go down*! * And, *all* that I had to say against *her* Evidence was, "That I *never* was in the House of Mrs. *Planting*, in my *Life*, as she has sworn.

* *Nov.* 9. 1702.

I must clear Dr. *Harison* of any Guilt relating to *this* Witness: She told me *Herself*, that Mr. *Cuffley*, (the *Minister* of her Parish) *caus'd* her to swear; "*That he would have had her* swore *more home*: But the *Reverend*, *Conscientious* Bawd, ask'd him *Frumpingly*, "Do you think *I'll* Damn *my* Soul to *Humour* you? Which, at first, I did not *believe*; but *since* I *do*. *He* wrote a *Letter* to my *Father*, stuff'd with the most *Notorious*, *Scandalous*, *Groundless* Lies that ever were invented: I little thought, an Aged, Grave Divine, with *Death* in his *Face*, could have had so much of the *Devil* in his *Heart*. This I'll make good against him: And, if he proves *one Syllable*, against me, in the *whole Letter*, I do hereby promise *never* to come into a *Pulpit* more, while I breath. *Narcissus*-like, I'll retire from my Cure, and *Pleasant-House*, to any Place of *Solitude* and *Melancholy*. Like *his*, my *Innocence* has been *Traduc'd*; and I don't doubt, but as *his* was, it will be clear'd. *Remarkable* were God's Judgments upon *Three false* Witnesses sworn against him (for *Incontinency* says Mr. *Eachard*) *Infame Satis & Noxium Crimen*, says *Ruffinus*) The *first* was *Burnt* to Ashes in his House in the *Night*; the *second* was *Crusted* to *Death* with a *Scab*, from *Head* to *Foot*; the *last wept* himself *Blind*; these wicked Wretches added *Execrations* to their *false* Oaths, and God heard them. But, I pray *God* deliver my *Adversaries* from *such*! I can more *chearfully forgive* them, than they *swore against* Me.

Bish. of Jerus. *Eus. l. 6. c. 7. p. 136. in* mine

* Eccl. *Hist. p.* 359.

Mr. *Cuffley* put this *Interrogatory* to Mrs. *Planting*, "*Was you* never whip'd "in *Bridewell*? Indeed, this Question was a *Cuffleyism*! There was in't more *Spite*, than *Cunning*. What if she had been *Whip'd Forty* times? Her Evidence to my *not* being in *her* House, is *Good*: The worst can be said is, 'Twas *one* Bawd against *Another*. But, I say *farther*; as there was a great deal of Company in the House drinking below, and scarce one Man in the *Town*, that does *not know* me, if *any* Person can say, that I was *ever* in *that* House in my Life, or ever *drank* a *Drop* of *Burnt Brandy*, in any *Public House* in *Colchester*, I'll be whip'd in all the *Bridewells* in *England*. This shall serve for *Susanna Brewer*: For Mr. *Cuffley*, were it *not* that I resolve, never *wilfully* to offend either my *Spiritual* or *Natural* Father; His *Years* should not excuse him making me such *Satisfaction*, as so *Gross*, and so *Villainous* an Abuse most *justly* calls for. Who knows of what *ill* Consequence it might have been too *me*?

* *At* 5 *a Clock in a* Summer's *Morning*, *as* Brewer *swore.*

† *Without his leave I will not* publish *his* Letter: *but whoever pleases may see the sneaking Malice of it in my Hand. He that does will wonder!*

The

The next ſhall be *Eliz. Cock*; ſhe ſwears to *Hearſays*, and *Common Fame*. Pray, what did I ſue Dr. *Hariſon* for, but the *Common Fame* he had rais'd? She ſwears, that on *Chriſtmas* day 1700 "*I drank much to Exceſs, and was Fudled* at *her* Houſe. 'Tis hard now! A Woman to ſwear for but *Once* being *Fudled* in *Fourteen* Years Acquaintance, (as ſhe ſays, ſhe has *known* me *Fourteen* years) and this to be ſo plainly diſprov'd by my own Maid Servant; (and others) And, ſhe no *Brooks*, but a *Pious Religious* Maiden-Convert. †

† Eliz. Cock. *vid. Dep. of S Chaplyn.*

I ſay 'tis hard! But could ſhe do leſs for that *Phyſician* who has ſo often propt up her *Old Crazy*, and almoſt *Rotten* Carcaſe? She ſays, † "*That ſhe was in* Company *this Day with* Dr. Hariſon, *upon occaſion of her coming to be* Examined. No doubt he *inſtructed* her well! But I ſhall leave her, till I ſpeak with her by my *Aſtor's ney*, and *feel* for her Ears, or *cover* them with a *White Sheet*.

† *Inter.* 32.

† The next Evidence of great *Worth* and *Credit*, is *Abraham Fetherſtone*, as *Rumm* a Lad as ever was, that does ſcarce know his *Right* Hand from his *Left*. His *Conditions* are of a-*piece* with his *Perſon*; or in the *Characters*, I would not have check'd him by his Deformity, nor give the *old* Advice, *Cave quos Deus notavit*; nor, by his being a poor *Prentice-Tavern-Boy*: No matter, he's a *Tight* Evidence for our *Good* Doctor!

† Fetherſtone.

Fetherſtone ſwore, that; "I went into a *Large Ground* Room, call'd the "*Luce* in the Yard, at the Old Tavern in *Colcheſter*; (a very *private* Place "indeed! Oh! What *Subtle Contrivers* we were!) with Mrs. *Vince*, and there had a *Pint* of Wine (and no more) at *Five* or *Six* a Clock in the Afternoon; that he went into a Room *directly oppoſite* to the *Luce*, the Room called the *Cock*, which is ſo far from being directly *oppoſite*, that it is within *Two* ſteps, directly *over* it: But, we'll excuſe him *this* Lie; becauſe, if he *begins* ſo *well*, we muſt expect *Greater* from him, before he has *done*.

The Chief of his Evidence conſiſts in, *John Pack told me*, &c. I wonder a *Phyſician* and his *Mony* was ſo ſoon *parted*, as *Fetherſtone* confeſs'd to Mr. *Clarke*, † and others, to whom he ſaid; he believed, had he ſaid nothing, that "*I'd have given him as much as Dr.* Hariſon *did*. No doubt on't! So I would. Mr. *Hooker* * was never the *leſs* Innocent for *buying* his *Eaſe*, and *preſerving* his *Credit*, with his *Mony*, Dr. *Hariſon* his too ſneaking to give *much*; and I declare, had I known what would have hapn'd, I would have *lugg'd* out more Guinea's than ever he is like to be worth while he lives, I would not have valued it, had it been *Four* or *Five*: And I had ſaved *Fifty* by't!

† *V. Depns.*

* *See his Life by Dr.* Gauden.

To the *Sixth* Article he depoſeth, that he has known me "*ſeveral times*,

"*within*

within Three years, to frequent divers Taverns ——— And ——*mark!* "*This Deponent hath known me to ſtay at his Maſters* Houſe, till *unſeaſonable* "Time, and *Drink* to *Exceſs*. 'Tis a Good Boy! What Vintner would not be fond of ſuch a *Profitable* Servant? 'Tis Pity, for the ſake of his *Port*, and his *Parts*, that he is not *Advanc'd* to ſome *Topping* Tavern in *London*; that ſuch a *Goodly* Sprout ſhould ſpend its Youth and Verdure in a *Country Town*! Well! However, i'll ſay this for the *Boy*, he will ſpeak *Truth* ſome times, but *very* Rarely!

He ſays (*Poor Dear* Lamb!) He *believes*, ('Lack a Day, does he *believe* it?) † *That Dr.* Hariſon *was the* occaſion *of his Giving his Evidence againſt me*, before the *Recorder*. And; "*That he was in Company* (a *pretty Companion* truly!) "with Dr. *Hariſon* laſt Night, and Mr. *Cuffley*, to Day.

† *Int.* 30.

† Now comes *his Fellow-Labourer*, in *Lying*, *John Pack* who writes himſelf *Vintner*, as *Oates* does D. D. becauſe he *would* be *ſo*.

† *Pack.*

He ſwears that he ſaw an *Indecency* between Mrs. *Vince* and *Me*: He is mighty *Quick-ſighted* in ſuch matters, but very *Blind*, when he ſhould *See*, as *ſeveral* have *prov'd*. He ſwears (as *Fetherſtone* did) to *Six* a Clock. But ſeveral *Gentlemen* have *ſworn*, I was in their Company from *Two* or *Three*, to paſt *Eight*. And I am ſure *then* it is utterly *impoſſible* for any Perſon to diſcern out of the *Cock* Room, what is done in the *Luce*. I forgot to tell you, what Mr. *Simeon Hayward* told me in a Letter, to *London*; *viz.* that ſome days after this *Pretended* Buſineſs; he ſaw *Fetherſtone looking* out of the *Cock* Window, towards the *Luce*: and Mr. *Hayward* ask'd him, *whether or no he look'd* to *ſee* "*if he were* forſworn: Says *Fetherſtone* preſently, *I did it for farther* Satisfaction: Nay, ſays Mr. *Hayward*, "*Then you are a* Rogue *indeed*! And yet *Fetherſtone* ſwears, the Curtains of the *Luce* Window were drawn: But, what then? As long as *Hariſon's Purſe-ſtrings* were *drawn*, he would have *ſeen*, and *ſworn* thro' a *Brick Wall*. *Pack* ſwears he ſaw us in the *upper* part of the Room; *Fetherſtone*, in the *lower*. *Pack* confeſſes *fairly*, that Dr. *Hariſon* was the *Occaſion* of his Giving his *Evidence* before the *Recorder*, † and, "*That he was with* Dr. *Hariſon this* Day.

† *Int.* 30.

Who now does not ſee, that Dr. *Hariſon* (in *order* to perform his Promiſe of *Ruining* me, of *preventing* my ever *Preaching* more in *Colcheſter*) was the *ſole* occaſion of this *vexatious chargeable* Suit, in Drs. *Commons*? Had the Clergy *wrote* to my Lord of *London*, if theſe *Rogues* had not ſworn before the *Recorder*? Was not their *Oath* the very *ſtrength* of the Letter; who *Funn'd* Mr. *Brett* into this Proſecution, But *Hariſon*!

* *Goodway.*

* The next *Witneſs* is *John Goodway*, who *ſwears*, that he had *heard*, I had *lain* with Mrs, *Vince*: Who *doubts*, but his *Couſin* and *Counciller*, and *Companion* (Dr. *Hariſon*) might tell him ſo? And that Mrs. *Vince* did *confeſs* and *declare* to him, that I had been *Naught* with her, *Three* ſeveral Times; and that he is *intimately* acquainted with her. This is like *all* the *reſt*! He *ſwears*, that I am much *Addicted* to *Exceſſive Drinking*; and this he knows, becauſe, he ſays, *ſome ſhort time ſince* Chriſtmas

Chriſtmas *laſt*, *he ſaw me Reel to* and *fro*, and that " I *could not ſpeak* plain? But I find, he ſpeaks *plain* enough; but, when I ask him † *Inter.* 19. †" *where* it was he *ſaw* this, *He cannot tell.* I don't know that *ever* I *ſaw* this *Fellow* in my Life till he went to be ſworn againſt me: And never but *once* ſince, and then he had not a *Shoe* to his *Foot*. I paſs to,

Mr. *Walter Goſnold*, a *Tenant* and *Surgeon* to Dr. *Hariſon*: *Mr.* Goſnold. *He* ſwears *that he has been informed*, &c.

How could a *Lie ſcape* him, whoſe *Intereſt* was wholly *wrapt up* in his *Landlord*, Dr. *Hariſon*? He ſpeaks too of a *fame* of my *Curſing* and *Swearing*, ſuch a *ſtory* might be told him, tho' never ſo *falſe*. A Lie *Runs* like *Wild-fire*,

† *Mobilitate viget, viresque acquirit eundo.* † *Virgil.*

And *gathers* as it goes; it is *hard*, that any Mans *Good Name* ſhould be *lodg'd* in the *Venomous* Mouth of a *Hariſon*: But it is yet *more hard*, that any Perſons of *Good Birth*, as Mr. *Goſnold* is, ſhould come in with *him*, and *his* WITNESSES, with " *Report* ſay they, and we will *Report*.† It was a Good ſaying of *Thales*, the *Mileſian*, who being ask'd † *Jer.* 20.10. " How far *Truth* differs from a *Lie*, (anſwered) " as far as the *Eyes* are diſtant from the *Ears*; from whence he intimated, that there's little Credit to be *given* to *Reports*. *Common Fame* is ſo infamous a Witneſs, that it hath been *convicted* of a *Thouſand Millions* of Groſs Lies: " *What In-* " *juſtice then is it to condemn Men, upon the* Depoſitions *of ſuch* " as *ſhall have no Warrant* for what they Talk, *but* Common *Sir Geo. Mac-* " Fame? *But, this *Gentleman* tells a *ſtory* of my inviting *kenzie.* him, his Siſter, and Mrs. *Holborough* to my Houſe, with an intent (as he *apprehended*) to *debauch* her: A very *Charitable* Thought this! And a very *cunning* Contrivance in me to make him *my Pimp*, and his *Siſter* my *Pander*! But, he owns that *ſhe* never was in *my* Houſe, for (ſays he,) " I never *attempted* to do it.

He *ſwears* too, " *That above Two years ago, he was preſent when I Baptiz'd* a " *Child in the Pariſh of St.* Peter's *in* Colcheſter, at *which time I was ſo* Diſ- " guiſed *in* Drink, *that I committed a great many* Errors: *in performing the* " *ſaid Office of* Baptiſm, *which occaſion'd ſeveral of the Perſons then to* Laugh. To which I *anſwer*: The Caſe was this, as Mr. *Sherman*, the *Surgeon*, wrote to Dr. *Dane*, and I ſhew *his*, and the *Doctor's* Letter to the Biſhop of *London*. " A poor Infant (about *Six* Months Old) by the *Careleſneſs* of the *Nurſe* fell " into the Fire, by which the *Arm* was *ſo* burnt, that a *Mortification* enſu'd; " and that which made it more *Dreadful* to behold, was a *deep Scarification* " the *Surgeons* made, in hopes to *Recover* it, but to *no Purpoſe*; for they were " forc'd to *cut* the *Arm* off: And becauſe they *apprehended* there was *Danger* " of the Child's Life, they deſir'd me to *Baptize* it (I then *officiated* for Mr. " *Smyth*) which Mr. *Sherman* would not have done, (nor Mr. *Goſnold* neither, I dare ſay) had they thought me not *capable* to *perform* the *Office*. I am *certain*, Mr. *Sherman* has ſuch a *Veneration* (as his *own* Words are) for the " *Rites* of the Church of *England*, that, he wou'd be as far as any Man living, " from expoſing either her *Miniſters* or *Sacraments*, like the good Emperor,

Con-

Constantine the *Great*, who said, " That should *he* take a *Bishop* in the Act " of *Adultery*, he would rather *cover* that *unclean* Act, with his *Imperial* " Cloak, than suffer it to come *Abroad*, to the *Scandal* of the *Weak*, and the *scorn* of the *Wicked*. *

* *Theod. l.* 1. *c.* 11. *Eccl. Hist.*

Mr. *Sherman* further says, " *That he does not remember I made any* mistakes, tho' I read the *Office* with a great deal " of *Surprize* and *Confusion*, upon so *sad* and *dismal* an Object before me. He " says too, that Mr. *Simeon Hayward* was *there* present, and Mr. *Thomas* " *Morffee*, and that Mr. *Morffee* was as much *surpris'd*, as my self; and he " believes, that he had *fainted*, if he had not *quitted* the *Room*; which he " *did*, while I was *Reading* the Office.

The *cutting* and *slashing* the Childs Arm did make a strange *Impression* upon my *Spirits*; which had I *foreseen*, I would have got a *harder* Man to have *done* the Office: I was very ready to do it, least the Child should have died: For, I am not *Durus Pater Infantum*!

The *Gentlemen* invited me, after the *Operation* was *over*, to take a Glass of *Wine*, at the *White Hart*; but I was so *sick* at the *sight*, I hastn'd home, and did *not* drink with them.

To the *Interrogatories* given by me, to Mr. *Gosnold* he says thus, *viz.*

* *Interro.*

3. " He is not *bound* to *Answer*, whether he believes in his " *Conscience*, that Dr. *Harison* bears *Malice*, and *Ill-will*, to- " wards me.

4. " He does *not* know, whither Dr. *Harison Requested* him to give *Evi-* " *dence*, in this Cause.

5. " He is not oblig'd to *Answer*, whither he does *not* KNOW and Be- " lieve, that Dr. *Harison* uses his *utmost* Endeavour to RUIN me, and that he " has *Threatned* so to do.

25. " He does *not* know what Mony he receiv'd of Dr. *Harison*, for *Giv-* " *ing* his *Testimony* in this Cause. That's much!

31. " He owns himself a Debtor to Dr. *Harison* for *House Rent*.

32. " that he was *this* day with Dr. *Harison*, *yesterday* with Mr. *Cuffby*.

38. He does not know whither I'm *Addicted* to *swearing*.

40. That he *never* knew me make a *Private Assignation* with any Woman.

All that I shall observe from this *Gentleman's* Deposition, is; that he tells *Two* Stories, that have a little *Resemblance* of *Truth*, (which is *more* than any of the *rest* do,) like *Dolon*, in *Homer*,

Ἴσκε ψεύδεα πολλὰ λέγειν ἐτύμοισιν ὁμοῖα.

* *Mrs.* Holborough.

* Mrs. *Holborough* swears as Mr. *Gosnold* did, that I invited " *her to my House about a year ago*, with a design as she *appre-* " *hended* to *Sollicit* her *Chastity*. Modestly spoken! Does she not forget, that she may chance to speak *too Late*! What does she think of the *Brightlingsea-Weesil-chap'd* Changeling, that us'd to wear the * *Bauble* her *Husband* gave her, by the *Month* together, as a *Trophy* of her *Chastity* forsooth! She *swears*, that I *lessen'd* her *Husband*, and said, he was *Jealous*: If he had not been in the *Spanish* Fashion, he would not have forewarn'd Mr. *Gosnold* his House, nor Mr. *Gosnold*, in *Revenge*, *caus'd* a Pair of HORNS to beset up

* *A small Gold Watch.*

up at his Door, as another Trophy of Mrs. *Holborough's Chaſtity*! But I leave her to her *Chaſtity*, and come to her *Interrogatories*: Her *Depoſitions* are ſo *Impertinent*, that there's not the leaſt *colour* of a *Tendency*, in 'em.

7th Inter. The *laſt* time I was at her *Houſe*, was a little above "a Year ago, at the *Funeral* of her *own Siſter*, whither I "was *invited*: So, if ever I did *ſollicite* her *Chaſtity*, the *good* Soul was ready to *forget* and *forgive ſuch* an Injury. And I *believe* ſhe had *done* it often, or ſhe would not have let a *Coxcomb* wear her Watch, purely, that he might have an Opportunity of *Laughing* and *Jeſting* with her *Chaſtity*.

5 3io Loco "That ſhe is *Deſir'd* by Dr. *Hariſon*, and Mr. *Kennier*, to give her *Evidence* in this Cauſe. Who'd think now that *Kennier* (who made himſelf a *Party* before) ſhould be ſo *forward* to *procure* an Evidence. Thank God, 'twas not a *Scotch* one! For *Hariſon*, 'twas no *Wonder*: He's a *Man* of a very *even* Temper, and the *Scorpion* is a Creature *ſo* too; *always* putting forth his Sting to do *Miſchief*: And *ſome* ſay, the *Devil* is *continually* going *about ſeeking whom he may* Devour. Well! There's *Three* of 'em! But why *David Kennier*, ſhould make a *Fourth*, I *can*'t tell; unleſs for theſe Reaſons, *viz.*

Pliny.

Becauſe I told him of his *Dull*, *Flatulent*, and *Billingſgate* Sermon, that he *preach'd* at the *Sunday-Evening Lecture* againſt the *Quakers*, for which he has got the Name of *Jannes* and *Jambres*; in which he treated 'em *worſe* than I would do a *Scot*, or than Dr. *Hariſon* did the Pariſhioners of St. *Leonards*, when he had got his *Church-warden*'s Rate. After he had *Rail'd himſelf* out of *Breath*, and the *People* out of *Patience*, he diſmiſs'd 'em with this *Holy* Saying, to carry *home* with them; "I ſcorn to Rake any longer in this NASTY Kennel: And look'd ſo fierce, that his great *black* Eyes look'd like Two *German*-Balls ſtuck in a *Head* of *Dirty Mortar*. Or (now I ſpeak of *German*.)

He might be *Angry*, that I took Notice of his *Conjuring* Sermon, wherein he *Hocus-Pocus'd* a *New* Day; *viz.* an *Eight*-Day-*Sabbath*: He had heard Mrs. *Holborough*, I ſuppoſe, talk of an *Eight* Day Clock (her Husband deals in Clocks, and ſhe in *little Gold Watches*, for a *private*.) Friend And out comes *Kennier*, with a Fine Notion, and ſays, "*The* Jews *ſerv'd God on the* Seventh Day; the *Gentiles*; that is the *Old Chriſtians*, on the *firſt*; but WE ſerve God on the EIGHTH. Now whether he be a Jew, a Chriſtian, or a *Scot he* tells you: The *Two* firſt he *denies*; the laſt, I am ſure of!

Or, it may be, becauſe in a *Sermon* of mine at St. *Peter's Evening* Lecture, I *converted*, and *baptized* an *Adult* Perſon in his Pariſh, at which he was *very Angry*. Or, becauſe I was ſent for to a *Dying* Woman in his *Pariſh*, and viſited her, tho' (Grudgingly,) with his Leave. No matter for any more *Becauſes*. He is a *Fellow* below my *Contempt*, and carries *Cowley*'s Curſe about him *Daily*. He is *very Poor*, and *very Proud*: And his *Pride* is the *Occaſion* of his *Poverty*, for he has no leſs than *Four* Pariſhes, St. *Mary*'s, *Trinity*, *Layer*, and Beer-*Church*. But what are *Four* to a *Haughty*, *Proud*, *Conceited* SCOT! Who has had *his* Country Grace, to *Biſhop* himſelf! "He'd

take

take me out of the *Commons*! All in good Time! I believe this *Government* will take ſpecial Care of *Scots*, becauſe we have *no Engliſh* Gentlemen, nor *Engliſh* Univerſities, to ſupply our *Engliſh* Livings!

This young Man has treated the *Worthy* and *Learned* Mr. *Bennet*, and Mr. *Smyth* with a great deal of *Scotch* Ceremony: The laſt time I was in *his* Company, he call'd them both *Rogues*, for *Interloping* in his Pariſh, and getting *Subſcriptions* there; when I am very certain, they neither of 'em ever did; and as certain, that he is not worthy to carry a *Book* after *either* of them, unleſs it be a *Book* of the *Eighth*-Day-*Sabbath*! One thing more of this *Bladder* I ſhall trouble you with, and then leave him, *viz.* His *Uncanonical* Pride: The 58 *Canon* provides, "That no *Miniſter*, not being a *Graduate*, ſhall "wear a *Silk Tippet*, under Pain of *Suſpenſion*: But, Mr. *David Kennier*, *no Graduate*, *does* wear one. *Wonderful* Great *in his* Modeſty! 'Tis much he does not wear a *Scarf*! But, in *Imitation* of it, he *faces* his *Gown*, with a *broad Ribbon*, and *always pleats* it back, for fear the *Silk* ſhould *not* be *ſeen*, and ſo he *Flaunts* it about the Streets.

Mr. *Smyth*'s *Depoſition* was *read* againſt me at the *Commons* (contrary to a *Poſitive* Agreement between the *Council* againſt me and *Myſelf*: And therefore I ſhall take *no* Notice of what he ſays.

To conclude this *Long Letter*, you ſee *Sir*, *what Evidences* have been *Examin'd againſt me*: Now, Sir, I hope without any *Partial* Regard to *Friendſhip*: You will *Read thoſe* that are examin'd *for* me. You'll ſee how *Vilely* I have been abus'd by a *Falſe Tongue*, which is a *Deadly* Evil. "It lies in the "*Face* of *Heaven*, and *Abuſes* the *Ears* of *Juſtice*; it *oppreſſes* the *Innocent*, and "is ſecretly *Reveng'd* of *Virtue*; it *defeats* all the *Charity* of *Laws*, and *Arms* "the *ſupreme Power*, and makes it *ſtrike* the *Innocent*. It makes *frequent Ap*"*peals* to be made to *Heaven*, and cauſes an *Oath*; inſtead of being the *End* "of *Strife*, to be the *Beginning* of *Miſchief*: It calls the *Name* and *Teſtimony* "of GOD to *ſeal* an *Injury*; It feeds and nouriſhes *Cruel Anger*, but *mocks* "*Juſtice*, and makes *Mercy weep* her ſelf into *Pity*, and *Mourn*, becauſe ſhe cannot *help* the *Innocent*, ſays the *Inimitable* Biſhop *Tayler*.

Brieuſ Deſp. 179.

But I grow weary, and think it time to *conſider*, that it will not be long, e're *Hariſon*, and *I* ſhall be in our *Graves*, and *there* we ſhall not *Juſtle*, or *Wrangle*. The *Malice* of *all* my Enemies will be laid in the *Duſt*, in a ſhort time: And ſo ſhall I.

Virgil. *Hi motûs Animorum, atq; hæc Certamina Tanta,*
Pulveris Exigui Jactu, compreſſa quieſcunt.

Till *then*, I ſhall eſteem it one of the Greateſt *Pleaſures* of my Life, to be

Mile-End *Parſonage*,
Colcheſter, *Jan.* 12.
1702.

Dear Sir,
Your moſt Sincerely
Affectionate *Servant*,

W. Smythies.

FINIS.

Mr. *Smythies*'s Depoſitions, upon an Allegation given againſt *Roger Bret*, Gent. in *Doctors Commons*, London, *May* 29. 1702.

Sarah Dolman (late) *Planting*,

To the Firſt Article of the above-mentioned Allegation, ſhe Depoſeth, and ſaith:

THAT the Deponent hath *Perſonally* known the Producent Mr. *William Smythies*, the party producing her a Witneſs in this Cauſe, for about the ſpace of *five* Months; And ſaith, That ſhe hath often heard the Deponent's Husband, and ſeveral other perſons, Declare, That the ſaid Producent was a Good *Preacher*, and looked upon by ſuch perſons with whom this Deponent hath converſed, to be a perſon of Good Life and Converſation.

To the Sixth, That ſhe hath known *Suſannah Brewer* for about *Six Years*, who lived in *Lexden* Pariſh in the County of *Eſſex*, near to the Deponent; and who, as the Deponent has been Informed, is a Witneſs produced, Sworn and Examined againſt the party Producent: And ſhe ſaith, That ſhe hath heard it Reported, That the ſaid *Suſannah Brewer*, before her Inter-marriage with her now Huſband, lived with one Mr. *Lucas*; and during the time the Deponent lived in the Neighbourhood wirh the ſaid *Suſannah Brewer* in the ſaid Pariſh of *Lexden*, which was for about the ſpace of Three Years, was a perſon of *an ill Fame and Reputation* amongſt her Neighbours, and accounted a *Lewd and Debauch'd perſon*, and one that would commit the foul Crime of *Incontinency*, *Fornication* or *Adultery*; And ſhe believeth, That no Faith or Credit ought to be given to the Sayings or Depoſitions of the ſaid *Suſanna Brewer*; for that this Deponent hath Heard, and been Informed, That the ſaid *Suſanna Brewer* hath Sworn, That the ſaid Producent was at the Deponent's houſe in *Butt-Lane* about Two or Three Years ſince;

Whereas the ſaid Producent was never, to her Knowledge, at her ſaid Houſe in *Butt-Lane*.

Upon the Interrogatories.

That ſhe now lives at *Greenſtead*, where ſhe hath lived for almoſt Three Years; And that before that, ſhe lived in *Butt-Lane* in *Colcheſter*, for about a Quarter of a Year; and before that, in *Lexden* Pariſh, where ſhe lived for Four or Five Years; that her Husband is a *Pedder*, who carries Fiſh and Oyſters to Sell; That ſhe cannot tell what he is Worth.

To the Sixth. That the Producent was *Never* at this Reſpondent's Houſe but *Once*, which was ſince laſt *Chriſtmas*; That ſhe was in *Bridewel*, but was committed out of *Malice*. The Reſpondent had a perſon lived with her, who had been warned to go to Service; and by reaſon ſhe did not go in that time allowed to her, ſhe was committed to *Bridewel*; and upon the Reſpondent's going to ſpeak in the behalf of the perſon who lived with her, whoſe Name was * *Anne Chandler*; the Reſpondent was likewiſe committed by one Capt. *Potter*, but was acquitted without any Correction.

* *A Pox'd Whore*, &c.

Sara Dolman, late *Planting*.

Elizabeth Beare.

To the *Firſt* and *Sixth* Articles ſhe Depoſeth, and ſaith:

That ſhe hath known Mr. *William Smythies*, the party producing her a Witneſs in this Cauſe, for about the ſpace of *Six* Years, and hath heard him Preach, who hath been accounted, and reputed a perſon of a *Sober* Life and Converſation: That ſhe has known *Suſannah Brewer* about *Fourteen* or *Fifteen* Years; who at the time of the Deponent's firſt Knowing of her, lived, and now Lives at *Lexden* in the County of *Eſſex*, which is about a Mile diſtant from the Town of *Colcheſter*, who, as the Deponent hath heard, hath been Examined againſt the Producent; And that ſhe is, and hath been accounted a *Looſe* Woman, and a Reputed *Whore*, for theſe *Four* or *Five* Years laſt paſt; That ſhe Believes, no Faith or Credit ought to be given to the Sayings and Depoſitions of the ſaid *Suſanna Brewer*; for that ſhe hath been Inform'd, That the ſaid *Brewer* hath Sworn, That Mr.

Mr, *Smythies* was at the Houſe of her præ-conteſt *Sara Dolman* in *Burt-Lane*; but hath heard the ſaid *Dolman* deny, that the ſaid Producent was ever in her Houſe: And the Deponent ſaith, That the ſaid *Brewer* is a great *Lyar*; and hath told this Deponent ſeveral *Lyes*, and *Falſe Stories*; and is ſuch a one as the Deponent would not Believe, or give any Credit to.

To the *Seventh*, That about Three Months ſince, in the Forenoon, (the time more certainly ſhe cannot remember) the ſaid *Suſanna Brewer* came to this Deponent to borrow a *Scarfe*, and told the Deponent, That ſhe was going to the *White-hart*, an Inn in *Colcheſter*, about Mr. *Smythies*'s Buſineſs, and this Deponent did accordingly lend the ſaid *Suſanna* a *Scarfe*, and did ſee her put the ſame on, and go towards the ſaid Inn.

Elizabeth Beare.

John Maſſin. To the *Firſt Article.*

That he hath known, and been acquainted with Mr. *William Smythies* (the party producing him a Witneſs in this Cauſe) for almoſt *Eight* Years; this Deponent being the Pariſh-Clark of the ſaid Pariſh-Church of *Mile-end*, and next Neighbour to the ſaid Producent, who was, all the time of the Deponent's knowledge of him, accounted a Perſon of a *good* Life and Converſation, and a Perſon who hath brought over *ſeveral* Perſons to come to hear him *preach* in his Pariſh-Church, and hath lately *baptized* two *Adult* Perſons in this Deponent's preſence, and hath heard that he baptized two or three more; and the *Deponent* ſaith, That the *Producent* hath, all the time of his knowing him, performed his Miniſterial Office with *Great Care* and *Diligence*, and that he was accounted a Sober Perſon, and not addicted to any Lewdneſs or Debauchery, until about the Month of *Septemb.* 1700. about *which time*, the Deponent hath heard, and believes, Dr. *John Hariſon*, a Phyſician, who lives in St. *Leonards*, in *Colcheſter*, did utter very ſcandalous and opprobrious Words of, and againſt the Producent.

To the Sixth: That he hath known *Suſanna Brewer* by ſight, for about the ſpace of *Seven* Years, who hath for all the ſaid time been, and now is accounted a Perſon of a *looſe* Life and Converſation, and generally reputed a *Common Whore*, and *Bawd*, by her Neighbours, and ſuch who are acquainted with her.

To the Ninth: That he hath known *Abraham Featherſtone*, who, as the Deponent is inform'd, is produc'd as a Witneſs againſt the party *Producent*, for about the ſpace of *four* or *five* Years, who is a *Rude* Perſon, and as this Deponent hath heard in the Town of *Colcheſter*, that he is a Frequenter of a Houſe of ill Repute, known by the Sign of the *George*, within the ſaid Town; and hath likewiſe heard that a Woman had ſworn that the ſaid *Featherſtone* had got her with Child, but did not hear the Woman's Name.

To the *Twenty Second* Article, and Schedule mention'd and mark'd Numb. 5. beginning thus, *March* the 26th. Old Friend, *&c.* and ending thus, Yours in all the Duties aud Obligations of Friendſhip, *Ben. Smyth*; and thus ſuperſcrib'd, To the Reverend Mr. *Smythies*, at the *Hyth* in *Colcheſter*; depoſeth and ſaith, That he knows and is acquainted with the Manner and Character of the Hand-writing of the ſaid Mr. *Benjamin Smyth*, he having ſeen him write; and the Deponent having, at the time of his Examination in this Cauſe, looked over and peruſed the ſaid *Schedule* mark'd Numb. 5. does in his Conſcience believe that the ſame was, and is totally wrote, ſubſcrib'd, and ſuperſcrib'd by, and with the proper Hand-Writing of the ſaid Mr. *Benjamin Smyth*; and that Mr. *William Smythies*, to whom the ſaid Schedule is directed, and Mr. *William Smythies* the Party in this Cauſe, isone and the ſame Perſon, and not diverſe.

JOHN MAFFIN.

William Acrill, Linnen-Draper.

To the *Firſt:* That he hath known, and been acquainted with Mr. *William Smythies* (the Party producing him a Witneſs in this Cauſe) ever ſince he was inducted into the Living of *Mile-end*, in or near the Town of *Colcheſter*, in the County of *Eſſex*, but cannot certainly remember the Number of Years, but believes it may be about 10 or 12 Years ago; during which time, this Deponent hath been *very* often in his Company, and the Producent frequently at his (the Deponent's) Houſe, and at other places in Company together; and the ſaid Producent did at ſuch times behave and demean himſelf *very ſoberly*, and never heard him *Curſe* or *Swear*, or ſee him diſguis'd in Drink, but behave himſelf as a *modeſt* and *chaſt* Perſon: And he ſaith, That the ſaid Producent hath, and does (according to the Deponent's Obſervation) perform his Miniſterial Office with *Great Diligence*; and that he hath been preſent at Church, when there hath been many Diſſenters to hear the ſaid Mr. *Smythies* preach; and that he was look'd upon

upon to be (and this Deponent never heard any thing to the contrary, but that the ſaid Producent was) a Perſon of a *ſober* Life and Converſation, *Until* about the Months of *Auguſt* or *September*, 1700. About which Time, ſeveral ſcandalous Words and Speeches were given out; as this Deponent hath been informed by Dr. *Hariſon*, of St. *Leonards* Pariſh in *Colcheſter*.

To the *Fourth*: That he well knows *John Hariſon*, *Robert Meadowes*, *Jeremiah Molyne*, *John Beale*, *John Butler*, *George Harrington*, and *Thomas Matthews*, and that he was acquainted with *Tho. Holliſter*, ſince deceaſed, whoſe Names are ſubſcrib'd to a Schedule mark'd N°. 3. beginning thus, We the *Principal* Inhabitants, *&c.* and ending thus, Witneſs our Hands, this 3d. Day of *Sept.* 1699. And he ſaith, That all the ſaid Perſons were, at the Date of the ſaid Scedule, Inhabitants in the Town of *Colcheſter*; and that he well knows, and is acquainted with the Manner and Character of the Hand-writing of *John Hariſon*, *Robert Meadows*, *Jeremiah Molyne*, and *John Butler*, aforeſaid; he having often ſeen them write: And he having, at the time of this his Examination, view'd their reſpective Names at the bottom of the ſaid Schedule, does in his Conſcience believe, that their Names ſubſcribed to the ſaid Scedule, are of the proper Hand-writing of the ſaid *John Hariſon*, *Robert Meadows*, *Jeremiah Molyne*, and *John Butler*; and that Mr. *Smythies*, mention'd in the ſaid Schedule, and the Producent is one and the ſame Perſon, and not diverſe.

To the *Sixth*: That he hath known one *Brewer*, who did live in the Pariſh of *Lexden* in *Colcheſter*, by ſight for about 7 Years, whoſe Chriſtian Name he knows not; and he ſaith, That ſhe kept a Houſe there which was generally accounted and reputed a Bawdy-houſe; and for, and as a common Whore and Bawd the ſaid *Brewer* hath, for moſt part of the ſaid Time, been generally reputed.

To the *Ninth*: That he hath known *Abraham Featherſtone*, a Witneſs, as this Deponent hath been inform'd, ſworn and examin'd againſt the Producent, for upwards of 4 Years, who now lives at the *Whitehart-Inn* in *Colcheſter*; who is a Perſon much given to talk *Obſcenely*, and addicted to *Lying*, *Curſing*, and *Swearing*, and hath heard it reported that he *much* frequented a Houſe, lately known by the Sign of the *George*, in *Colcheſter*, which was accounted a very ill Houſe, and that he is a Perſon of no *Eſteem* and *Credit*; Or one whom the Deponent would *believe* in any thing whatſoever, for that he hath heard the ſaid *Featherſtone* averr a thing one half hour, and deny it the next; *Et aliter neſcit*, Save he believes the ſaid *Featherſtone*, in caſe he has ſworn that the Producent, and one

Mrs.

Mrs. *Vince* were together at the *Old-Tavern*, in a Room called the *Luce*, at Night or Evening, as the Deponent hath been inform'd; he the ſaid *Featherſtone* hath therein depoſed falſly, for that the ſaid *Featherſtone*, about a Month before the laſt *Midſummer* Aſſizes held for *Eſſex*, upon the Deponent's asking him what time it was that the Producent and Mrs. *Vince* were together at the *Old-Tavern*, in *Colcheſter*, did declare that it was about 2 of the Clock.

To the *Eleventh*: That he hath known *John Pack* (another Witneſs, as he is inform'd, produ'cd againſt the ſaid Mr. *William Smythies*) 10. Years, who is now a Drawer at the *Kings-Head* in *Colcheſter*, who is a *poor, indigent* Perſon, and one very much given to be in *Drink*.

To the *Thirteenth*: That he believes the ſaid *John Pack* is *ſhort-ſighted*, for that he hath obſerved him to neglect taking away things from Company which he tended on; and tho' but a very *little Diſtance* from him, would ſay that he did not *ſee* them.

To the *Seventeenth*: That he heard it reported at the Aſſizes at *Brentwood*, about a Year ſince, That Dr. *Hari-* ‡ *Eliz. Belgrave.* *ſon*'s Maid Servant, whoſe Name ‡ he knows not, had ſworn that ſhe ſaw the Producent about 12 a Clock at night in an undecent Poſture with one Mrs. *Williams*, in Mr. *Harrington*'s Porch.

To the *Twenty First*: That he well remembers the Producent did about two Years ſince begin an *Evening Lecture* in the Church of St. *Peter*'s, *Colcheſter*, which he continued for about a Year; that he heard the Producent when he began the ſaid *Lecture* declare, That it was at the Deſire of ſeveral Perſons that he began the ſaid *Lecture*; or to that Effect.

To the *Interrogatories*.

To the *Eighth*: That he never ſaw the Producent *drunk*, but hath ſeen him *cheery*; but never otherwiſe than that he could give a Perſon a *rational* Anſwer.

To the *Ninth*: That he does not remember that ever he heard the Producent talk *obſcenely, wantonly*, or *prophanely*.

WILLIAM ACRILL.

Thomas

Thomas Clark, of *Danbury*.

To the *First*: That he hath known Mr. *Will. Smythies* (the Party producing him a Witneſs in this Cauſe) for about 12 Months, and hath, in the ſaid Time, been ſeveral times in the Producent's Company, as well at *Danbury* aforeſaid, (where the ſaid Producent has had ſome Relations) as at *Chelmsford*, and *Colcheſter*; and during ſuch Times as this Deponent kept company with him, he did behave and demean himſelf very *ſoberly* and *modeſtly*, as becomes a *Clergyman*; and (ſaving the Suit in Queſtion) never heard any thing to the contrary, but that the Producent was a Perſon of *a ſober* Life and Converſation.

To the *Ninth*: That he hath known *Abraham Featherſtone* (a Witneſs produced againſt the ſaid Producent Mr. *William Smythies*) for about two Years, who is a Perſon of a very *lewd* Life and Converſation, and very much addicted (in his common Diſcourſe) to *Curſing* and *Swearing*; and, That he has heard it *publickly* reported, and talk'd of by ſeveral Perſons in the Town of *Colcheſter*, that he was a great Frequenter of a Houſe of ill Repute, known by the Sign of the *George*, in *Colcheſter*; and *That he had lay'n with a certain Woman there*, but did not know her Name; and he ſaith, That the ſaid *Featherſtone* is not looked on, and accounted to be a Perſon of Credit, and *very poor*; and believes that he would *forſwear* himſelf for *Gain* or *Reward*, and the rather, for that about *ſix* Months ſince the Deponent was diſcourſing with the ſaid *Abraham Featherſtone* (at the houſe of his Maſter *Waters*, a Tavern in *Colcheſter*, where he then drew Wine) concerning the Cauſe of Mr. *Smythies*; where the Deponent did tell him, he had done an ill thing in reporting of ſuch a Thing againſt *Mr. Smythies*; and the ſaid *Featherſtone* did thereupon ſwear by *GOD*, (or ſome other Oath) that "He believ'd Parſon *Smythies* "if he had ſaid nothing, would have given him as good a Reward "as Dr. *Harriſon* DID; or to that Effect.

Ad Interrogatoria.

To the *Eighth*: That he never ſaw the Producent *drunk*, or *overtaken in Drink*.

To the *Ninth*: That he never heard him talk *obſcenely*, *wantonly*, or *prophanely*.

THOMAS CLARKE.

William

William Sawyer. To the *First Article:*

That he hath known, and been acquainted with Mr. *William Smythies* (the party producing him a Witneſs in this Cauſe) for about 14, or 15 Years, the Deponent being *Churchwarden* of the Pariſh of *Mile-end* at the time the ſaid Producent took poſſeſſion of the *Parſonage* of *Mile-end* aforeſaid; and during the time the Deponent was *Churchwarden* of the ſaid Pariſh, the Deponent did for *three* Years very often frequent the Company and Converſation of the ſaid Producent, and hath ſince been often in his Company, during all which time he *never* ſaw, or heard that the Producent was addicted to any Vice whatever, but behaved himſelf *ſoberly*, and he well knows that the Producent hath, by his way of *Preaching* and *Diligence* in the performance of his Office, brought over ſeveral Perſons who formerly were *Diſſenters* from the *Church* of *England*, to come to hear him Preach: For, and, during all the time of this Deponent's knowledge of him, he never knew, or heard any thing to the contrary, but that he was a Perſon of a *good* Life and Converſation, *until* about the Year of our *Lord*, 1700. at which which time, there were ſeveral *Scandalous* and *Opprobrious* Speeches ſpread againſt the ſaid Producent.

To the Sixth: That he hath known one *Suſanna Brewer*, who lives in *Lexden* Pariſh, for about *ſix* Years, by ſight, but never had any acquaintance with her; and that the Deponent hath heard it reported by her Neighbours, for theſe *ſix* Years laſt paſt, That ſhe was a *Common Whore*, and *Bawd*, and was not fit to come into a Man's Company.

To the Ninth: That he hath known *Abraham Featherſtone* who formerly lived with Mr. *Waters*, in *Colcheſter*, and now lives at the *White-hart-Inn* in *Colcheſter*, for about *four* Years, who is accounted a Perſon of a *lewd* and *debauched Life*, and much addicted to *Swearing* in his common Diſcourſe; and the Deponent ſaith, That he hath often ſeen him go into a Houſe, which was known by the Sign of the *George*, in *Colcheſter*, and which was accounted at that time, a Houſe of a very *ill* Repute.

To the Eleventh: That he hath known *John Pack*, who lives in *Colcheſter*, and heretofore helpt to draw Wine at the *Old Tavern* in *Colcheſter*, for the ſpace of 15 Years, who is a Perſon *very* much given to *Drunkenneſs*; and the Deponent ſaith, That he uſually ſaw the

ſaid

ſaid *John Pack*, *four* or *five* times in a *Week*, but ſcarcely *ever* ſaw him *ſober*, and believes that he wou'd ſay any thing when in *Drink*, and that he believes him to be very *poor* and *indigent*, and of a *ſcandalous Life*.

To the Twentieth: That he hath known *John Goodway*, who lives in the Town of *Colcheſter*, for about 20 Years, who is a very *poor indigent* Perſon, and one who has been a *Drunken Lewd* Fellow, and was ſo generally accounted.

To the Twenty Firſt: That the *Producent* did, about *two* Years ſince, begin a Lecture in the Church of St. *Peter*, in *Colcheſter*, where the *Deponent* hath often heard him preach, which he continued for about *eight* or *nine* Months, as he believes; and that he hath heard Mr. *Smith*, the Miniſter of the ſaid Church, preſs the Producent to take upon him ſuch Lectureſhip.

Interrogatoria.

To the Eighth: That he *never* ſaw the Producent *Drunk*, or *overtaken* in Drink.

To the Ninth: That he never heard him talk Obſcenely, *Wantonly*, or *Prophanely*.

WILLIAM SAWYER.

John Butler, of St. *Leonard's* Pariſh in *Colcheſter*, MERCHANT.

To the *Firſt:* That he hath known Mr. *William Smythies*, the Producent, by ſight, for above *Twelve Years*, and for the laſt *ſix* Years of the Time he hath been very intimately acquainted with him, and very *often* in his Company, and that he always at ſuch Times, behaved himſelf *ſoberly* and *modeſtly*, and the Deponent never ſaw him guilty of any lewd Act; and knows nothing to the contrary but that he is a Perſon of a *ſober* Life and Converſation; ſave that he has heard ſeveral ſcandalous Reports concerning the Producent.

To the *Fourth:* That he well knows, and is acquainted with Dr. *John Harriſon*, *Robert Meadows*, *Jeremiah Molyne*, *John Beal*, *Hugh Gill*, *George Harrington*, and *Thomas Matthews*, and that he was acquainted with *Thomas Holliſter*, lately deceas'd, and well knows

the Character, and manner of Hand-Writing of *all* the ſaid Perſons, he having often ſeen *all*, and every one of them write; and he having, at this his Examination, view'd and perus'd the ſaid Schedule, mark'd Numb. 3, beginning thus, WE the principal Inhabitants, &c. and ending, Witneſs our Hands this 3d. Day of *Sept.* 1699, and the ſaid Perſons Names ſubſcrib'd to the ſame, together with this *Deponent's Hand* ſet thereto, doth verily believe that the ſame is ſo ſubſcrib'd by, and with the reſpective Hand-writings of the ſaid Perſons, and of *this Deponent*; *& aliter neſcit*, ſave that Mr. *Smythies* menti-on'd therein, and Mr. *William Smythies* the Producent, is one and the ſame Perſon, and not diverſe.

Ad Interrogatoria.

To the *Eighth*. That he does not remember that he ever ſaw the Producent *drunk* in his Life.

To the *Ninth*: That he never heard the Producent talk *obſcenely*, *wantonly*, or *profanely*, as he remembers.

JOHN BUTLER.

Richard Spanton.

To the *Firſt*: That he hath known Mr. *William Smythies* Clerk (the Party producing him a Witneſs in this Cauſe) for about *eight* or *nine* Years, whom he takes to be an *Extraordinary* Preacher, and very diligent in the Execution of his Miniſterial Office; and he ſaith, That the Producent did, by his Doctrine, and his Inſtructions, given to the Deponent, bring over the Deponent (who was a *Diſſenter* from the *Church of England*, and an *Adult* Perſon) to be baptized by him; and he well knows two other Perſons (who were likewiſe *Adults*) were baptiz'd with this Deponent, and continu'd in the Communion of the Church of *England*, (as the Deponent does at this Time) and receives the *Sacrament* according to the Ceremonies of the Church; and he believes the ſaid Producent to be a Perſon of a good Life and Converſation, this Deponent never obſerving or knowing any thing to the contrary, but has heard ſeveral ſcandalous Reports.

To the *Sixth*: That he hath known one *Suſanna Brewer* (who now, or lately dwelt at *Lexden* near *Colcheſter*) for about *twenty* Years, who, for all the ſaid Time hath been, generally accounted and reputed a *Common Whore* and *Bawd*.

To

To the Eleventh: That he hath known one *John Pack*, who now lives in *Wyer-ſtreet*, in *Colcheſter*, for about 7 Years, he being his near Neighbour, whom he takes to be very *poor*.

Interrogatoria.

To the Eighth: That he *never* ſaw the Producent *Drunk*, or *overtaken* in Drink.

To the Ninth: That he *never* heard an *Uncivil Word* come out of the Producent's Mouth.

RICHARD SPANTON.

Mary Holliſter, of St. *Leonard's* Pariſh.

To the Firſt: That ſhe hath been *acquainted* with the Producent Mr. *Will. Smythies*, for about the ſpace of 7 Years; that ſhe became acquainted with him, by his coming to be Miniſter of the *Hyth* Pariſh; and during all, or moſt part of the ſaid time, the *Producent* was very converſant at the Deponent's late Husband's Houſe, and that he behaved himſelf *modeſtly* and *ſoberly*, and as became a Clergyman, and took *great* Care and Diligence in the Performance of his *Miniſterial* Function, and had a very *good* Auditory, and was *well beloved* by the Inhabitants, and hath ſeen him baptize a Perſon of riper Years, and hath been informed, and believes, that ſeveral other ſuch Perſons have by his Directions, and Inſtructions, been perſwaded to *Baptiſm*; and ſhe further ſaith, That ſhe hath heard the ſaid Producent uſe *Extraordinary* Arguments and Perſwaſions to induce Perſons to the Communion of the Church of *England*; and that he was a Perſon of a very *good* Life and Converſation, and never heard any ill of him, *until* about the Year 1700. about which time, there were ſeveral ſcandalous Reports ſpread abroad.

To the Fourth: That ſhe knows *all* the Perſons ſubſcribed to the ſaid Certificate, or Schedule, marked Numb. 3. who were, at the time of the Date of the ſaid Certificate, Inhabitants of the ſaid Pariſh of St. *Leonard's*, or *Hyth* Pariſh aforeſaid; and ſhe ſaith, That ſhe having ſeen the Names of Dr. *John Hariſon*, *Robert Meadows*, *Jeremiah Molyne*, *John Beal*, *Hugh Gill*, and *Thomas Holliſter*, the Deponents late Husband, ſince deceaſed, ſubſcribed amongſt others to the bottom of the ſaid Exhibite; *all* which aforementioned Perſons, ſhe having ſeen write, ſhe became acquainted with their manner of Handwriting, and having at the time of this her Examination, looked o-

ver the ſaid Perſons Names, does in her Conſcience believe that all the ſaid Perſons Names before-mentioned, are their reſpective Hand-writing, and that Mr. *Smythies*, mentioned in the ſaid Certificate, and Mr. *William Smythies* the Producent, is one and the ſame Perſon, and not diverſe.

To the Nineteenth: That on *Chriſtmaſs-day* was 12 Months, this Deponents late Husband *Tho. Holliſter*, and one Mr. *Meredith*, who then lodged at the Deponent's Houſe, had been drinking together at the *Swan* in the *Hyth* Pariſh, then kept by Mrs. *Cock*; and this Deponent did, upon the ſaid Mr. *Meredith*'s, and her Husbands Return home, which was about *Eight* of the Clock in the Evening, and *not later* (as ſhe beſt remembers) ask the ſaid Mr. *Meredith* if the Perſon (meaning the Producent) was not *Fudled*, and the ſaid Mr. *Meredith* did then declare to the Deponent, that he the Parſon (meaning Mr. *Smythies*) was *not fudled*; and ſhe believes the ſame to be true, for that the ſaid *Meredith*, and this Deponent's Husband, were *very ſober*.

Interrogatoria.

To the *Eighth:* That ſhe never ſaw the Producent *Drunk*; but ſaith, That ſhe hath ſeen him drink Wine, but never *diſguiſed* with it ſo as to *faulter* in his Speech, or *ſtagger*.

To the *Ninth:* That ſhe never heard the Producent talk *obſcenely*, *wantonly*, or *prophanely*, but has heard him talk *merrily*, and *pleaſantly* in Converſation.

MARY HOLLISTER

Chriſtopher Fawthrop, of St. *Leonard*'s, Gent.

To the *Firſt:* That he hath known and been *acquainted* with Mr. *William Smythies* (the party producing him a Witneſs in this Cauſe) for about *Twelve* Months, he being for ſome part of that time, Miniſter of the ſaid Pariſh-Church of St. *Leonard*'s, where the Deponent now inhabits, and is Land-Surveyor of *Colcheſter*, and in that time hath *much frequented the Company* of the ſaid Producent: And he ſaith, That the ſaid Producent did behave himſelf, at ſuch times, *very modeſtly and civilly*, and as becomes a Clergyman; and hath often heard him preach, and perform other divine Offices; and and that (according to the Deponent's Judgment) he did, with Care

and

and Diligence, and never saw, or observed the said Producent to be inclinable to any Acts of *Rudeness*, or *Immodesty*.

Interrogatoria.

To the *Eighth*: That he has *drank often* with the Producent, but never saw him *Drunk*, or *disguised* in Drink.

To the *Ninth*: That he hath heard the Producent *Joque*, and be *merry* in Company, but never heard him talk *obscenely*, *wantonly*, or *prophanely*, or observed him to be any ways *inclinable* thereto.

CHRISTOPHER FAWTHROP.

Hugh Gill, of St. *Leonard's*, Gent.

To the *First*: That he hath known, and been acquainted with the Producent, Mr. *William Smythies*, for upwards of *Three* Years, and that the Deponent hath been *very often in his* Company, and *several times* heard him preach, and received the Holy *Sacrament* several times from him, who, in this Deponents Apprehension, perform'd his Ministerial Office with great *Diligence* and *Care*; and this Deponent believes, that he is a Person not given to Acts of Whoring or Drunkenness, or any other Vice, for that he never saw him guilty of any such things, but behaved himself *soberly* and *modestly*, and that he well knows, that the said Produdent did baptize a Person of riper Years.

Ad Interrogatoria.

To the *Eighteenth*: That he never saw the Producent *Drunk*, or *overtaken* in Drink.

To the *Nineteenth*: That he never heard the Producent talk prophanely, but has heard him talk *merrily* and *jocosely* in Company.

HUGH GILL.

Susanna Chaplain.

To the *First*: That she hath known Mr. *Smythies* (the party producing

during her Widowhood in this Parish) for about *Four* Years, and that she *lived with* him, as a Servant, about *Christmas* 1708, for about the space of a *Month*, and hath several times since, when he has wanted a Servant to do the Work in his House, often gone a *Helping* there; and that during the times, she was so there, the said *Producent* did live very *soberly*, and was not given to *Drink*, but lived as becomes a *Minister*, and was of a *good* Life and Conversation, and never knew him guilty of an *indecent*, or *lewd* Act: And she saith, That she hath *very often* heard him *preach*, and perform his Office of a *Minister*, which he did with *great* Diligence, and did, by *his* preaching, *convert the Deponent from* being an *Anabaptist*, and was by him baptiz'd, and ever since continues in the Church of *England*; And that she was present, and stood as *Godmother* to *another* Person of riper Years, who was likewise baptized by the said Producent; And that *several others* of riper Years, as she hath heard, and believes, has by him been *baptiz'd*; And never heard any ill of him, *until* about the Month of *Septemb.* 1700; about which time, several scandalous Stories were spread abroad.

To the *Eighth*: That she hath known *Elizabeth Brooks*, alias *Perry*, for about *Five* Years, who is accounted a Person of a *lew'd Life* and Conversation; And that she the Deponent hath heard it reported by several Persons, That she hath *lain, and been naught* with, one *Benjamin Johnson*; And that she heard it likewise *publiquely reported*, That the said *Elizabeth Perry*, alias *Brooks*, had *stollen* Money from one *George Isles*, with whom she lived as a Servant; for, and as such a Person, she is generally *accounted* and reputed.

To the *Nineteenth*: That she *very well* remembers, on * *Christmas-day was Twelve* Months, the said Producent, Mr. *Will. Smythies*, preached at the Church of St. *Leonard's*, and administer'd the Sacrament; and after Dinner, to wit, about *Four* of the Clock in the Afternoon, the Producent's Wife, the Deponent's then Mistress, gave her leave to go out; and accordingly this Deponent did go, and return'd home about *Seven* of the Clock in the Evening of the same Day; at which time, she found the Producent coming out of his Study, who told his Wife, That he would go and see his † *Father-in-Law*, and take a Pipe with him; and that about a quarter of an Hour after, the Deponent's Mistress did go out after him, and did return home both together *soon after Eight* of the Clock in the Evening; And the Deponent saith, That the said Producent was *not at all concern'd* in Drink at either of the said times of the said *Christmas-day*: And the Deponent the better knows the same to be true, for that she *warm'd* the Bed that Night, and the

* V. *Cock's* Deposition.

† *He liv'd the next Door.*

Pro-

Producent went to bed about *Nine* of the Clock, and talked with her Miſtreſs; And that ſhe never ſaw a Man more *ſober in her life.*

Super Interrogatoriis.

To the *Eighth:* That ſhe never heard that the Producent was *given to Drinking*, 'till it was reported about Dr. *Hariſon*'s Buſineſs; That ſhe never ſaw the Producent *overcome*, or the *leaſt diſguis'd* in Drink.

Ad Interrogatoria ſecundo Loco.

To the *Ninth:* That ſhe never heard an *ill Word* come out of the Producent's Mouth.

SUSANNA CHAPLYN.

John Johnſon.

To the *Eighth:* That he hath known one *Elizabeth Perry* (whoſe former Name was *Brookes*) for about *ſix* or *ſeven* Years, who now lives with one *Perry* at *Copford* in *Eſſex*, as he believes; and he ſaith, That the ſaid *Elizabeth* was (ſome Time ſince) Servant to one Mr. *George Iſles*, in *Colcheſter*; and he ſaith, That about *three* Years ſince, in the Summer-Time, the Deponent ſaw the ſaid *Eliz. Perry* (then going by the Name of *Brookes*) lye in NAKED BED with this Deponents's Brother, (*Benjamin Johnſon*) at the Sign of the *Three-Pickerings* in *Colcheſter*; and that he hath heard the ſaid *Benjamin Johnſon* declare, "That he had gotten her *with CHILD*, and that ſhe *longed for a* MACKEREL; and he ſaith, That the ſaid *Benjamin Johnſon* and the ſaid *Elizabeth* kept company together at *Witham*, and *Colcheſter*, in a very ſuſpitious manner, for about three quarters of a Year; and he further ſaith, That he believes the ſaid *Elizabeth* is much addicted to *ſtealing* and *pilfering*; for that he has heard the ſaid Mr. *Iſles* tax her with ſelling two Bruſh-Faggots, and giving him an account but of one; and that the ſaid *Elizabeth* did (for ſome Time) deny the Fact, but afterwards confeſs'd, that ſhe had *wrong'd* the ſaid Mr. *Iſles*, and told him where the Money was; and he ſaith, That ſhe is a Perſon of a very ill Fame and Reputation, and was accounted and reputed both WHORE and THIEF.

Idem

Idem ad Interrogatoria.

To the *Fifth:* That he never heard any thing to the contrary but that the Producent is a Perſon of a ſober Life and Converſation.

Super Interrogatorius ſecundo Loco.

To the *Eighth:* That he never ſaw the Producent *drunk.*

To the *Ninth:* That he never heard an ill Word come out of the Producent's Mouth in his Life.

JOHN JOHNSON.

Roſe Johnſon. To the *Eighth Article.*

To the *Eighth:* That ſhe *hath known Elizabeth Perry,* who formerd ly went by the Name of *Brooks,* for *ſix* or *ſeven* Years, who lived very near to this Deponent, for ſeveral Years of the ſaid time; an ſhe ſaith, That about *Three* Years ſince, the ſaid *Elizabeth Perry* (then *Brookes*) kept Company with this Dponent's Husband's Brother, *Benjamin Johnſon* (who is now at Sea) for ſome *Eight* or *Ten* Months, and upon the ſaid *Elizabeth*'s keeping Company with another, with whom ſhe now lives, and whoſe Name is *Perry,* the ſaid *Elizabeth* and *Benjamin fell out,* and the ſaid *Benjamin* did then tell the Deponent, That he had lain with the ſaid *Elizabeth Brookes,* alias *Perry, Five Nights* in one Week, at Mr. *Iſles*'s Houſe in *Colcheſter,* and that ſhe was big with Child by him; And ſhe ſaith, That all the time of this Deponent's Knowledge of the ſaid *Elizabeth,* ſhe was generally accounted *both Whore and Thief.*

Ad Interrogatoria.

To the *Fifth:* That ſhe never heard the Producent was given to drink.

Ad Interrogatoria ſecundo loco.

To the *Eighth:* That ſhe never ſaw the Producent drunk.

ROSE JOHNSON.

An: Greenard.

Ann Greenard. To the *Eighteenth Article.*

To the *Eighteenth:* That about *Three* Years ſince this *Peaſe* time, one *Elizabeth Brooks*, who now goes by the Name of *Perry*, came into the Town of *Witham*, and lodg'd at this Deponent's Father's Houſe there, whoſe Name is *John Burton*; and that during the time ſhe lodg'd *there*, ſhe was taken up for ſtealing of * *Radiſhes* out of one *Peter Wingfield*'s Garden, and would have been proſecuted for the ſame, had not *Benjamin Johnſon* paid half a *Crown* to the ſaid *Wingfield*, as a Satisfaction for the ſaid Radiſhes: That it was generally reported about the ſaid Town, That the ſaid *Elizabeth Brooks* (now *Perry*) and *Benjamin Johnſon* LAY TOGETHER; and that ſoon after, the ſaid *Benjamin*, and *Elizabeth*, fell out, and the ſaid *Benjamin* did then delare to this Deponent, That he had lain with the ſaid *Elizabeth*, and had *gotten her with Child*; and that ſhe had *Miſcarry'd*; and for, and as a WHORE, ſhe was generally accounted, and reputed by ſeveral Perſons in the ſaid Pariſh of *Witham.*

* *She long'd for 'em*, poor Lamb!

Ad Interrogatoria ſecundo loco.

To the *Eighth:* That ſhe never ſaw the Producent in *Drink.*

To the *Ninth:* That ſhe never heard the Producent *&c.*

ANN GREENARD.

William Potter. To the *Firſt Article.*

To the *Firſt:* That he hath known, and been acquainted with Mr. *William Smythies* (the party producing him a Witneſs in this Cauſe) for above the ſpace of *Twelve* Years; and for the latter *Seven* Years of the ſaid time, hath been *very much* in the Producent's Company; and he ſaith, That he never ſaw the ſaid Producent in the *leaſt diſguiſed* in *Drink*, but behav'd and demean'd himſelf very *ſoberly* and *modeſtly*, and as became a *Miniſter:* And he further ſaith, That he hath, for the ſaid time, very often heard him *preach*, and *read Prayers*, which he did with *Great Care and Diligence*; and that the ſaid Producent was accounted a Perſon of a good Life and Converſation, *until* about *Two* Years ſince, when the Difference happen'd between Dr. *Hariſon*, and the Producent; about which time, ſeveral ſcandalous Stories were ſpread, and told, concerning the Producent.

To the *Sixteenth:* That about *Two* Years ſince, one *Elizabeth Belgrave*, who had before liv'd with one Mr. *Harrington*, at the *Hythe* in *Colcheſter*, came to live with this Deponent, as his Maid, and continu'd ſo for about the ſpace of Five or Six Months, who behav'd her ſelf very *moroſely*, and was very much addicted to *Curſing* and *Swearing*, * and was a Perſon of a very *looſe Life* and *Converſation*.

* *Monſtrous!*

To the *Eighth:* That he never in his Life ſaw the Producent Drunk, or overtaken in Drink.

To the *Ninth:* That he never heard the Producent talk *obſcenely*, *prophanely*, or *wantonly*, but has ſeen him *innocently* merry,

WILLIAM POTTER.

Ann Potter, the Wife of the ſaid *W. Potter*.

To the *Firſt:* That ſhe hath known and been acquainted, with Mr. *William Symthies*, the Party producing her a Witneſs in this Cauſe for about *ſix* Years, and ſhe ſaith, that during all the time aforeſaid of her Knowledge of him, the ſaid Producent did behave himſelf at ſuch times, when in this Deponent's Company, very *modeſtly* and *ſoberly*, and as becomes a *Clergy-man*; and ſhe ſaith, That ſhe heard the ſaid Producent *often preach*, who perform'd his Office with *Care* and *Diligence*, and was well approv'd of by the chief Inhabitants of the *Hythe*-pariſh, where he for ſome Years preach'd; and that ſhe hath ſeen ſeveral Diſſenters at Church, to hear him: That to the beſt of the Deponent's Remembrance, ſhe never heard any thing to the contrary, but that the ſaid Producent was a Perſon of a *very* good Life and Converſation, *until* about Two Years ſince; about which time, there were ſeveral *ill* Reports concerning the *Producent*.

To the *Fifteenth:* That ſhe hath known one *James Woodward*, a *Butcher*, who now lives at the *Hithe*, for about *five* or *ſix* Years, who is a *looſe* ſort of a liver, and a *ſlighter* of the Sabbath-day.

To the *Sixteenth*: That ſhe hath known *Elizabeth Belgrave*, about the ſpace of *two* Years, who came about *Lady-day* was *Twelve* Months, to live with this Deponent, and her Husband, as their Maid-Servant, where ſhe continu'd for about *Nine* or *Ten* Weeks, or thereabouts; and that while ſhe ſo liv'd with this Deponent, ſhe behav'd

behav'd herſelf very *ſaucily* and *abuſively*, and was very much addicted to *Curſing* and *Swearing*; and verily believes that ſhe bears *great Hatred* againſt the Producent, becauſe the ſaid Mr. *Smythies* did adviſe the Deponent to *take the Law* againſt the ſaid *Elizabeth Belgrave*, for * abuſing the Deponent; and does believe, that by her Carriage, Behaviour, and Temper, ſhe wou'd make *little* of an Oath, or eaſily be induc'd to Forſwear herſelf, out of *Revenge*.

* She ſtruck her Miſtreſs ſuch a Blow, (when within a few Weeks of her *Time*) that I thought ſhe had kill'd her. Her Husband did arreſt her, and Dr. *Hariſon* bail'd her, and ſaid, in my hearing, He'd ſpend a *Hundred Pound* to defend her.

Ad Interrogatoria.

To the *Eighth*: That ſhe *never* ſaw the Producent drunk.

To the *Ninth*: That ſhe hath heard the Producent talk *Jocoſely*, and *Merrily*; but ſuch Diſcourſe has been very *harmleſs*: And ſaith, That ſhe never heard the Producent talk *prophanely*.

ANN POTTER.

Joſeph Vince. To the *Firſt Article.*

To the *Firſt*: That he hath known Mr. *William Smythies*, the Producent, for about *Twelve* Months, and hath often heard him *preach*; who did, according to this Deponent's Judgment, perform his Miniſterial Office *very well*, and never heard any thing to the contrary, but that he was a perſon of a good Life and Converſation, *until* about Three quarters of a Year ſince, he heard ſeveral Reports concerning the Producent.

To the *Ninth*: That he *perſonally knows Abraham Featherſtone*, who, as this Deponent hath been inform'd, is a Witneſs produc'd, and examin'd in this Cauſe, againſt the Producent, and hath Sworn, That he ſaw the Producent, and this Deponent's Wife, *Suſanna Vince*, *commit ſome* rude and undecent Actions, in a Room, in a Tavern, call'd the *Old Tavern*, in *Colcheſter*: He (this Deponent believes) the ſaid *Featherſtone* hath herein depoſed falſly; for that this Deponent never *ſaw*, nor before *heard*, that the ſaid *Suſanna* (his Wife) would be guilty of any lewd, or *indecent* Action: And he further ſaith,

That on, or about the *Fourteenth* Day of *June*, 1701. (as he beſt remembers the time) the Deponent hearing that one Mr. *May*, of *Standley*-Hall, had ſome Land to let, and knowing that the Producent was *related* to him, did about *Noon*-time of the ſaid Day, ſend the Deponent's ſaid Wife, to the ſaid Producent, in order to ſpeak to him about taking the ſaid Land; and the Deponent ſaith, That he himſelf went to *Colcheſter* about *five* or *ſix* a Clock in the Evening of the ſame Day; and being at the Houſe of *John Sickle-price*, the Deponent's Wife's Uncle, in *Wyre-ſtreet*, in *Colcheſter*, where he continu'd for ſome time; the ſaid *Suſanna*, about *half an Hour after Seven of the Clock* of the ſaid Evening, came there, and did tell the Deponent, That ſhe *could not* meet with the Producent; and he ſaith, That the ſaid *Suſanna* did *continue* at the ſaid Houſe for about half an Hour, and did again go into the Town-ſtreet, where (as ſhe inform'd the Deponent) ſhe met with the Producent by accident, at the *Old Tavern*, where ſhe was gone about ſome Buſineſs; and that ſhe did return to her ſaid Uncle's Houſe, ſomewhat *before Nine* of the Clock; from whence the Deponent, and his ſaid Wife, did *go home together*.

To the *Eleventh*: That he hath perſonally known *John Pack* (a Witneſs, as he is inform'd, ſworn and examin'd againſt the ſaid Producent) for about the ſpace of Seven Years: And he ſaith, That he is accounted a Perſon of a *looſe* Life and Converſation; and for the Reaſon by him prædepos'd, does believe, that ſaid *Pack* has Sworn *falſly* in this Cauſe.

To the *Eighth*: That he never ſaw the Producent *Drunk*, or *overtaken* in *Drink*.

To the *Ninth*: That he never heard the Producent talk *obſcenely*, *wantonly*, or *prophanely*.

JOSEPH VINCE.

Simeon Hayward.

To the *Firſt*. That he is *Chamberlain* of the Town of *Colcheſter*, and that he hath known and been acquainted with Mr. *William Smythies*; the Party producing him a Witneſs in this Cauſe, for about *twelve* Years, in which Time he hath *very often* heard him *preach*, and perform *Divine Service*, which he did to the *great Satisfaction* of his Auditory, and who did in this Deponent's Judgment perform his Miniſterial Function with *great Care* and *Diligence*, and hath heard ſeveral

veral of the dissenting Party, whom the Deponent hath seen at the Church, where the said Mr. *Smythies* preached, give the Producent a very *good Character*, and commend him for his *Way* of *Preaching*, and that he never heard any thing to the contrary, but that the said Producent was a Person of a *very good Life* and Conversation, *until* the Business between Dr. *Harison* and the Producent, at which time several scandalous and opprobrious Reports were spread abroad concerning the Producent, which he *does not believe to be true*; for that he hath *often* kept the said Producent Company, and never saw him Guilty or *Inclineable* to any lewd, or vicious Act.

To the *Sixth*. That one *Brewer*, who lives in *Lexden* Parish, has for these several Years last past, been generally accounted and reputed a *common Whore, and Bawd*.

To the *Ninth*. That he hath known *Abraham Featherstone*, who formerly lived at the old Tavern in *Colchester*, and now at the *White Hart* Inn *there*, who is a Witness as this Deponent is inform'd sworn, and examined against the Producent, for about the Space of *six or seven Years*, and this Deponent hath heard that the *Featherstone* hath sworn that he saw the Producent guilty of several undecent Acts with one *Susannah Vince*, in a Room known by the Name of the *Luce*, in the said old *Tavern* in *Colchester*, on the *fourteenth* Day of *June*, 1701, about *six* of the Clock in the Evening: The Deponent doth verily believe the said *Featherstone* hath not sworn *truly*, for that the Deponent was on the *Saturday* being the Market-Day, before the Report was spread, concerning the said Producent and Mrs. *Vince*, which was three or four Days after the thing was pretended to be done, this Deponent together with Mr. *Tayspill*, and *several others*, were drinking with the Producent until about *six of the* Clock in the Evening at the *old White Hart* in *Colchester* from whence they went to the *old Tavern* into the said Room, called the *Luce*, where Mr. *Sherman*, and Dr. *Doby* were drinking, who (as they inform'd this Deponent and Producent,) had been there, sometime before. In which Room the Deponent, Mr. *Tayspil*, Mr. *Sherman*, and Dr. *Doby*, together with the Producent and several others continued till about *eight of the Clock* at Night.

To the *Seventeenth*: That he was present at the last *Summer-Assizes* holden for the County of *Essex*, at *Brentwood*, in a Cause depending between the Producent and Dr. *Harrison* of *Colchester*, where two Persons, one of which lived at Dr. *Harrison*'s as his Servant, and another Person, whose Name he has been since informed was *Elizabeth*

Beth Perry, did ſwear, that about **twelve of the Clock* at Night, they ſaw the Producent in an outward Porch of one Mr. *Harington*'s Houſe in the *Hyth*-ſtreet in *Colcheſter*, with one Mrs. *Hannah Williams*, and that the Producent had one of his Hands about her Neck, as he beſt remembers, and the other ſo high, that they could ſee the ſaid *Hannah*'s naked Fleſh.

**At the Aſſizes they ſwore to twelve: here between eight and Nine.*

To the *Twenty firſt*: That about two Years ſince, he well knows the Producent did begin a Lecture or *Evening*-Sermon in the Pariſh-Church of St. *Peter* in *Colcheſter*; and did continue the ſame for about a Year, as he beſt remembers, and which would have continued to this time, as this Deponent believes, had it not been for the *ſaid Reports*.

Ad Interrogatoria ſecundo loco.

To the *Eighth*: That he never ſaw the Producent *Drunk*, or *Overtaken* in *Drink*.

To the *Ninth*: That he never heard the Producent talk *obſcenely, wantonly or prophanely*.

SIMEON HAYWARD.

Henry May Gent.

To the *Firſt*: That he hath known Mr. *William Smythies*, the Producent for about *Nine* or *ten Years*; in which time this Deponent hath *often* been in the Company of the *Producent*, that he hath heard him *commended* for a *good Preacher*, and that he never heard any thing to the contrary, but that the Producent is a Perſon of a ſober Life and Converſation, *until* about a Year and half ſince; at which time the Deponent heard ſeveral opprobrious and ſcandalous Words and Speeches againſt the Producent, which he does *not* believe *to be true*, for that he has *very* often been in the Producent's Company, and never ſaw him Guilty of any *Lewdneſs* or *Debauchery*, or ſeemed *Inclineable* thereto.

To the *Eleventh*: That he hath known *John Pack* for four or five Years, whom the Deponent looks upon to be a Perſon of a *looſe Life* and *Converſation*, and one who as he believes may for *Gain* or *Reward* be induced to *ſwear falſly*.

Inter-

Interrogatoria ſecundo loco.

To the *Eighth*: That he never ſaw the Producent *Drink*, or *Overtaken in Drink*.

To the *Ninth*: That he never heard him talk *obſcenely*, *wantonly*, or *prophanely*.

HENRY MAY.

James Williams Gent.

To the *Firſt*: That he hath known the Producent Mr. *William Smythies* for about the Space of *ten* Years, and hath in that time *often* heard him *preach*, who in this Deponent's Apprehenſion performs his Miniſterial Office with *Diligence* and *Care*, and behaved himſelf *ſoberly* and *modeſtly*, and the Deponent never heard any thing to the contrary, *until* about a *Year and a half ſince*, but that the ſaid Producent was a Perſon of a good Life and Converſation.

To the *Fourth*: That he *knows John Hariſon*, *Robert Meadows*, *Jeremia Moylne*, *John Butler*, *George Harington*, and *Tho. Matthews*, who are Inhabitants of the ſaid Town of *Colcheſter*, and that he did know *Thomas Holliſter* (lately deceaſed;) and he having at the time of this his Examination, *view'd* and *perus'd* the Names of the ſaid Perſons ſubſcrib'd to the bottom of the ſaid *Exhibite*, Mark'd Numb. 3. This Deponent having ſeen all the ſaid Perſons write, and by that means, became acquainted with their Manner and Character of their Hand-writing, does in his Conſcience verily believe, that the Names of all the ſaid Perſons are ſeverally wrote, and ſubſcrib'd by *the ſeveral* Perſons above-nam'd, and are of their proper Hand-writing: And that Mr. *Smythies*, mention'd in the ſaid Certificate, and the ſaid *Producent* is one and the ſame Perſon, and not diverſe.

To the *Ninth*: That he hath known *Elizabeth Belgrave* (who formerly liv'd in Dr. *Hariſon*'s Houſe, in *Colcheſter*) for about Four or Five Years, who as this Deponent is inform'd, hath Sworn, That at the time when this Deponent, and his Wife *Hannah*, *were at Supper* at Mr. *George Iſle's* at *Colcheſter* (which was about a Fortnight before *Chriſtmaſs*, 1698.) that the Producent had this Deponent's Wife in Mr. *Harrington's Porch*, and was ſeen in indecent Poſtures: The Deponent doth, in his Conſcience, *verily believe* that the ſaid *Elizabeth* hath herein Sworn *falſly*; for that

ſoon

ſoon after Mr. *Iles* was married (a little before the ſaid *Chriſtmaſs*) the Deponent and his ſaid Wife (upon an Invitation) went to ſupper with the ſaid Mr. *Iſles*, at his Houſe in St. *Leonard*'s Pariſh, about *ſix* of the Clock in the Evening, where the Deponent continu'd in Company with his ſaid Wife *all the Time*, and afterwards return'd *Home together*; and, That he was very poſitive *She was not out of this Deponent's Company the whole Night*; and he ſaith, *That he never ſupped at the ſaid Mr.* Iſles's *before, or* ſince *the ſaid Time.*

To the *Sixteenth:* That, for the Reaſons before by him præ-depos'd to the eighth Article, he believes that *Elizabeth Belgrave* hath ſworn falſly and untruely.

Idem ad Interrogatoria ſecundo Loco.

To the *Eighth:* That he never ſaw the *Producent drunk*, or *overtaken* in *Drink.*

To the *Ninth:* That he never heard the Producent talk *obſcenely, wantonly,* or *prophanely.*

JAMES WILLIAMS.

Margaret Johnſon, Widow.

To the *Firſt:* That She hath known the Producent *ever ſince he was* married to his Wife, who was Daughter to one Mr. *Furley*, the Deponent's near Neighbour, which ſhe believes is about *ten* Years ſince, as ſhe beſt remembers the Time; during all which time, the Deponent never knew that the Producent was addicted to any lewd Act, or ever heard he was guilty of *Curſing* and *Swearing*; but, all the Time of the Deponent's Knowledg of him, he behav'd himſelf *ſoberly* and *modeſtly*, and did live in the Pariſh of St. *Leonard*'s aforeſaid for about *four* Years ſince; during which time, the Deponent hath ſeveral times heard him preach, and often been preſent at Chriſtnings; and ſhe ſaith, that the Producent did perform his Miniſterial Office with Care and Diligence; and that ſhe never heard any thing to the contrary, but that the ſaid Producent was a Man of a *good Life* and *Converſation*, until the Year 1700; about which Time ſhe heard ſeveral ſcandalous Reports, which Reports ſhe does not believe to be true, for that ſhe never ſaw any thing ill by him.

To

To the *Fifteenth*: That ſhe hath known one *James Woodward* a *Butcher* in the *Hithe*-Pariſh of *Colcheſter*, who is a *poor indigent Perſon*, and one of a *looſe Life* and *Converſation*, and ſhe ſaith that ſhe *well* knows the ſaid *James Woodward* did one *Saturday* Night play at *Nine-Pins*, at the Houſe of one *Pilgrim*, who then kept the Sign of the *Drum* in the *Hithe*-pariſh, and that he continued playing at *Nine-Pins* until *Sunday Morning*; he was much given to Drink, and is accounted an Idle Man.

Interrogatoria ſecundo loco.

To the *Eigth*: That ſhe never ſaw the Producent *Drunk* nor *Overtaken in Drink*: She hath often ſeen him at *Chriſtnings and Burials.*

To the *Ninth*: That ſhe hath never heard the Producent talk *obſcenely, wantonly* or *prophanely.*

MARGARET JOHNSON.

Giles Tayſpill, jun.

To the *Firſt*: That he hath known Mr. *William Smythies*, the Party producing him a Witneſs in this Cauſe, for about the Space of *ſeven Years*, and the four laſt Years of the ſaid time, he hath *very much* frequented his Company, and he ſaith, that he never heard him *curſe* and *ſwear*, or ever heard it reported that he was addicted thereto, and he further ſaid, That the ſaid Producent did at *all* times, when in Company with this Deponent, which *has been very often*, behave himſelf *ſoberly and modeſtly*, as became a *Clergy-man*; whom he hath *very often* heard *preach* and perform *Divine Offices*, which he did with *great Care* and *Diligence*, and that he never heard any thing to the contrary, but that the Producent was a perſon of a good Life and Converſation, *until about a Year ſince*, at which time he heard ſome ſcandalous Stories and Reports, which for his ſubſequent Reaſons he does *not believe to be true.*

To the *Sixth*: That he hath known one *Suſanna Brewer*, who ſometime ſince lived upon *Lexden-heath* within the Liberty of *Colcheſter* for about *five* Years, during which time ſhe has been generally accounted a *very ill Woman.*

To the *Ninth*: That he hath known *Abraham Featherſtone*, who

this time is Drawer at the *White Hart* Inn in *Colchester*, and before at the *old Tavern* in the said Town, for about *three* Years, who is a person *very much addicted to Cursing* and *Swearing*, and that he hath known *John Pack*, who was a Drawer of Wine at the said *old Tavern*, sometime since, but where the said *Pack* now is, or lives, he knows not; but saith that he is looked upon to be a very *loose, scandalous, Fellow*, and one who the Deponent verily believes might be induc'd to *forswear* himself; and he further saith, that he in his Conscience believes the said *Featherstone* and *Pack* have *sworn falsly and untruly*, for that the Deponent on a *Saturday*, which, as he best remembers was the *fourteenth* Day of *June* 1701, being *Market* Day, this Deponent was in Company at the *old white Hart* Inn in *Colchester* with Mr. *Simeon Hayward*, Mr. *Mic. Tayspil*, and one other Person, whose Name he cannot now remember, together with the *Producent*, from about *four* of the Clock *that Evening*, until *six*; about which time the Deponent, together with the Producent, and the said Company went together to the said *old Tavern* in *Colchester*, into a Room called by the Name of the *Luce*, as he best remembers; the Producent was not out of this Deponent's Company all the said time until they parted: That the said *Pack* is much given to *drink*, and whom this Deponent hath *very often seen in drink*, when he has brought Wine into Company.

To the *Thirteenth:* That he believes the said *John Pack* is *purblind*, or near sighted; for that this Deponent hath observ'd, when the Company has complain'd of the Wine, that the said *John* hath taken the Glass and held it up close to his Eyes, and lifted the Bottle close up to his Eyes, or *feel with his finger to put a Cork into a bottle, and usually holds Money close to his sight to distinguish the same.*

To the *Twentieth:* That he hath personally known *John Goodway*, who sometime since liv'd in *Alhallows* Parish in *Colchester*, for about ten Years; and he saith that the said *John* is look'd upon to be a very *indigent, loose, scandalous Person*, and one of no Repute, and one who (in this Deponent's Judgment) might be easily induc'd to swear *falsly* for Gain or Reward.

These two Interrogatories were given by the Promoter.

To the *Eighth:* That he hath been *drinking* in the producent's Company *very often*, and that he never saw the producent *drunk*, or *overtaken*, in Drink.

To the Ninth: That he never heard the Producent talk *obscenely, wantonly*, or *prophanely.*

GYLES TAYSPIL, *Junior.*

The HYTHE CERTIFICATE

Mention'd Page 5 of the **Depositions.**

WE the principal Inhabitants of the Parish of St. Leonard's in Colchester, do certify whom it may concern, That wee are troubl'd that there should be so many scandalous Reports spread abroad concerning Mr. Smythies, who has been our Preacher some Years, and has all along behav'd Himself innocently and inoffensively. And Wee are abundantly satisfy'd, That the foul Calumnies, with which some Men have aspers'd him, are Scandalous, Malitious, and False.

Wee do Declare, That Wee cou'd never observe in him any Inclinations to those horrible Vices of Drunkenness or Whoredom, or any other wicked Practices lay'd to his Charge, ever since Wee knew him; and that his Preaching amongst us has been very constant, and very acceptable, and his Life and Conversation answerable thereunto.

Witness our Hands, this Third Day of September, 1699.

JOHN HARISON.
Robert Meadows.
Jeremiah Molyne.
John Beale.
Thomas Hollister.
Hugh Gill.
John Butler.
George Harrington
Thomas Matthews.

SIR,

I Do not *publish* this out of any *Popular* Aim, but that you may see what an Opinion *Harison* himself had of me, when a vile *Fellow* slander'd me; and I was *fully* clear'd by Persons (as I said before) *Reverend* and *Honourable*. I abhor the Character St. *Ferom* gave of *Crates, Gloriæ Animal, Popularis Auræ vile Mancipium:* No, I am perfectly of Mr. *Collier's* Mind, "That to *creep* after *Applause*, is a *servile* "and *precarious* Satisfaction, much Below *my* Spirit.

*Ess. Part 2. Page 3

FINIS.

The BRYTHE CERTIFICATE

Mention'd Page 5 of the Depositions.

WE the Principal Inhabitants of the Parish of St. Leonard, Colchester, do certify, That it may concern [illegible] to be informed, that there [illegible] Parish [illegible] Children [illegible] Distempers [illegible] Fits [illegible] Innocently and [illegible] Children [illegible] Charity [illegible] Children [illegible] Distempers [illegible] Fits [illegible] Innocently